

# ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The **SPEAKER** pro tempore. Debate has been concluded on all motions to suspend the rules.

Pursuant to clause 5, rule I, the Chair will now put the question on the motion on which further proceedings were postponed earlier today, in the order in which that motion was entertained.

The votes will be taken on H.R. 2475 by the yeas and nays.

## SIMPLIFICATION OF IMPUTED INTEREST RULES

The **SPEAKER** pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2475.

The Clerk read the title of the bill.

The **SPEAKER** pro tempore. The question is on the motion offered by the gentleman from Illinois [Mr. ROSTENKOWSKI] that the House suspend the rules and pass the bill, H.R. 2475, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 425, nays 0, answered "present" 1, not voting 8, as follows:

### [Roll No. 119] YEAS—425

Ackerman	Byron	Dwyer
Addabbo	Callahan	Dymally
Akaka	Campbell	Dyson
Alexander	Carney	Early
Anderson	Carper	Eckart (OH)
Andrews	Carr	Eckert (NY)
Annunzio	Chandler	Edgar
Anthony	Chappell	Edwards (CA)
Applegate	Chappie	Edwards (OK)
Archer	Cheney	Emerson
Army	Clay	English
Aspin	Clinger	Erdreich
Atkins	Coats	Evans (IA)
AuCoin	Cobey	Evans (IL)
Badham	Coble	Fascell
Barnard	Coeelho	Fawell
Barnes	Coleman (MO)	Fazio
Bartlett	Coleman (TX)	Feighan
Barton	Collins	Fiedler
Bateman	Combest	Fields
Bates	Conte	Fish
Bedell	Conyers	Flippo
Beilenson	Cooper	Florio
Bennett	Coughlin	Foglietta
Bentley	Courter	Foley
Bereuter	Coyne	Ford (MI)
Berman	Craig	Ford (TN)
Bevill	Crane	Fowler
Biaggi	Crockett	Frank
Bilirakis	Daniel	Franklin
Bliley	Dannemeyer	Frenzel
Boehlert	Darden	Frost
Boggs	Daschle	Fuqua
Boland	Daub	Gallo
Boner (TN)	Davis	Garcia
Bonior (MI)	de la Garza	Gaydos
Bonker	DeLay	Gejdenson
Borski	Dellums	Gekas
Bosco	Derrick	Gephardt
Boucher	DeWine	Gibbons
Boulter	Dickinson	Gilman
Boxer	Dicks	Gingrich
Breaux	Dingell	Glickman
Brooks	DioGuardi	Gonzalez
Broomfield	Dixon	Goodling
Brown (CA)	Donnelly	Gordon
Brown (CO)	Dorgan (ND)	Gradison
Broyhill	Dornan (CA)	Gray (IL)
Bruce	Dowdy	Gray (PA)
Bryant	Downey	Green
Burton (CA)	Dreier	Gregg
Burton (IN)	Duncan	Grotberg
Bustamante	Durbin	Guarini

Gunderson	McDade	Seiberling
Hall (OH)	McEwen	Sensenbrenner
Hall, Ralph	McHugh	Sharp
Hamilton	McKernan	Shaw
Hammerschmidt	McKinney	Shelby
Hansen	McMillan	Shumway
Hartnett	Meyers	Shuster
Hatcher	Mica	Sikorski
Hawkins	Michel	Siljander
Hayes	Mikulski	Sisisky
Hefner	Miller (CA)	Skeen
Heftel	Miller (OH)	Skeltion
Hendon	Miller (WA)	Slattery
Henry	Mineta	Slaughter
Hertel	Mitchell	Smith (FL)
Hiler	Moakley	Smith (IA)
Hillis	Molinar	Smith (NE)
Hopkins	Mollohan	Smith (NH)
Horton	Monson	Smith (NJ)
Howard	Montgomery	Smith, Denny
Hoyer	Moody	Smith, Robert
Hubbard	Moore	Snowe
Huckaby	Moorhead	Snyder
Hughes	Morrison (CT)	Solarz
Hunter	Morrison (WA)	Solomon
Hutto	Mrázek	Spence
Hyde	Murphy	Spratt
Ireland	Murtha	St Germain
Jacobs	Myers	Staggers
Jeffords	Natcher	Stallings
Jenkins	Neal	Stangeland
Johnson	Nelson	Stark
Jones (OK)	Nichols	Stenholm
Jones (TN)	Nielson	Stokes
Kanjorski	Nowak	Strang
Kaptur	O'Brien	Stratton
Kasich	Oakar	Studds
Kastenmeier	Oberstar	Stump
Kemp	Obey	Sundquist
Kennelly	Olin	Sweeney
Kildee	Ortiz	Swift
Kindness	Owens	Swindall
Kleczka	Oxley	Synar
Kolbe	Packard	Tallon
Kolter	Panetta	Tauke
Kostmayer	Parris	Tauzin
Kramer	Pashayan	Taylor
LaFalce	Pease	Thomas (CA)
Lagomarsino	Penny	Thomas (GA)
Lantos	Pepper	Torres
Latta	Perkins	Torricelli
Leach (IA)	Petri	Towns
Leath (TX)	Pickle	Traficant
Lehman (CA)	Porter	Traxler
Lehman (FL)	Price	Udall
Leland	Pursell	Valentine
Lent	Quillen	Vander Jagt
Levin (MI)	Rahall	Vento
Levine (CA)	Ray	Visclosky
Lewis (FL)	Regula	Volkmer
Lightfoot	Reid	Vucanovich
Lipinski	Richardson	Walgren
Livingston	Ridge	Walker
Lloyd	Rinaldo	Watkins
Loeffler	Ritter	Waxman
Long	Roberts	Weaver
Lott	Robinson	Weber
Lowery (CA)	Rodino	Weiss
Lujan	Roe	Wheat
Luken	Roemer	Whitehurst
Lundine	Rogers	Whitley
Lungren	Rose	Whittaker
Mack	Rostenkowski	Whitten
MacKay	Roth	Williams
Madigan	Roukema	Wilson
Manton	Rowland (CT)	Wirth
Markey	Rowland (GA)	Wise
Marlenee	Roybal	Wolf
Martin (IL)	Russo	Wolpe
Martin (NY)	Sabo	Wortley
Martinez	Savage	Wright
Matsui	Saxton	Wyden
Mavroules	Schaefer	Wylie
Mazzoli	Scheuer	Yates
McCain	Schneider	Young (AK)
McCandless	Schroeder	Young (FL)
McCloskey	Schuette	Young (MO)
McCollum	Schulze	Zschau
McCurdy	Schumer	

### ANSWERED "PRESENT"—1

Lowry (WA)

### NOT VOTING—8

Hall, Sam	Lewis (CA)	Rudd
Holt	McGrath	Yatron
Jones (NC)	Rangel	

□ 1450

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 1500

## ANTI-APARTHEID ACT OF 1985

Mr. DERRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 174 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

### H. RES. 174

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1460) to express the opposition of the United States to the system of apartheid in South Africa, and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, one hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs and one hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking, Finance and Urban Affairs, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Foreign Affairs now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and each section of said substitute shall be considered as having been read. After the bill has been considered for amendment in its entirety and all other amendments have been disposed of, it shall be in order to consider the following amendments in the nature of a substitute in the following order:

(1) the amendment printed in the Congressional Record of May 16, 1985, by, and if offered by, Representative Siljander of Michigan;

(2) the amendment printed in the Congressional Record of May 16, 1985, by, and if offered by, Representative Gunderson of Wisconsin; and

(3) the amendment printed in the Congressional Record of May 16, 1985, by, and if offered by, Representative Dellums of California.

All such amendments shall be in order even if a previous amendment in the nature of a substitute has been adopted, and all points of order against said amendments for failure to comply with the provisions of clause 7 of rule XVI are hereby waived. Such amendments shall not be subject to amendment but shall each be debatable for not to exceed one hour, to be equally divided and controlled by the proponent of the amendment and a Member opposed thereto. After the disposition of such amendments, no further amendment to the bill shall be in order, and only the last such amendment in the nature of a substitute which is adopted shall be considered as having been finally adopted and reported back to the House. At the conclusion of the consideration of the

bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from South Carolina [Mr. DERRICK] is recognized for 1 hour.

Mr. DERRICK. Mr. Speaker, I yield the customary 30 minutes, for purposes of debate only, to the gentleman from Missouri [Mr. TAYLOR], and pending that I yield myself such time as I may consume.

(Mr. DERRICK asked and was given permission to revise and extend his remarks.)

□ 1510

Mr. DERRICK. Mr. Speaker, House Resolution 174 is an open rule which provides for 2 hours of general debate. One hour of the general debate time will be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, and the other hour will be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking, Finance, and Urban Affairs. The rule makes in order the Foreign Affairs Committee substitute as an original bill for amendment, with each section to be considered as read.

House Resolution 174 also provides for the consideration of three substitutes after the bill has been considered for amendment in its entirety. The three substitutes made in order in this rule are those by, and if offered by, Representatives SILJANDER, GUNDERSON, and DELLUMS, and the substitutes must be offered in that sequence.

Mr. Speaker, because the rule makes more than one substitute in order, the rule contains what is sometimes referred to as a king-of-the-hill procedure. Without such a procedure, under the normal rules of the House adoption of an amendment in the nature of a substitute would preclude the offering of any further amendments to the bill. Under the king-of-the-hill procedure provided in this rule, each of the three substitutes can be offered, even if offered subsequent to passage of another substitute. Only the last substitute to be adopted will be reported back to the House.

The rule waives clause 7 of rule XVI, the germaneness rule, against the three amendments in the nature of a substitute specified in House Resolution 174. Each of the substitutes will be debatable for 1 hour, with the time being equally divided and controlled by the proponent and a member opposed to the substitute. The rule also stipulates that these substitutes must

have been printed in the CONGRESSIONAL RECORD of May 16, 1985. Finally, Mr. Speaker, the rules provides one motion to recommit with or without instructions.

Mr. Speaker, H.R. 1460, the Anti-Apartheid Act of 1985, will institute a constructive set of prohibitions against various forms of trade between the United States and the Government of South Africa as long as the policy of apartheid remains in force in South Africa. As an original cosponsor of this bill, I believe it represents a viable and necessary alternative to the administration's failed policy of constructive engagement with the Government of South Africa.

The provisions of H.R. 1460 will be fully detailed by the members of the Foreign Affairs and Banking Committees. Generally, the bill includes a ban on new bank loans to the South African Government, except those made available for education, housing, or health facilities open to all races; a prohibition of sales of computers to the South African Government; a ban on new investment in South Africa; and a prohibition against purchases of gold coins minted or offered for sale by South Africa, including the 1-ounce gold Kruggerand.

H.R. 1460 was jointly referred to three House committees: the Committee on Foreign Affairs, the Committee on Banking, Finance and Urban Affairs, and the Committee on Rules. The Foreign Affairs Committee reported H.R. 1460 to the House on May 9, 1985; and by letter to the chairman of the Rules Committee, the Banking, Finance and Urban Affairs Committee indicated their willingness to proceed with consideration of a rule for the bill in the absence of any markup in their committee. The bill was considered by the Rules Committee on May 16, 1985, and favorably reported without amendment.

The primary basis for jurisdiction of H.R. 1460 by the Rules Committee relates to procedures specified in section 6 of the bill for consideration of certain joint resolutions provided for under the bill. Pursuant to clause 1(q)(1) of rule X, the Committee on Rules is vested with responsibility for the "rules and joint rules . . . and the order of business of the House." The committee also receives referral of all bills and resolutions changing or affecting the rules of the House. The provisions in section 6 of H.R. 1460 have the effect of altering the rules of the House and therefore fall within the jurisdiction of the Rules Committee.

Section 6 of H.R. 1460 provides procedures by which the prohibitions against investments in South Africa and importation of gold coins may be waived. Specifically, the provisions of sections 4 and 5 of H.R. 1460 may be waived if the President determines that one or more of the eight conditions enumerated in section 6 of the bill are satisfied. The President's de-

termination would have to be submitted to Congress, and a joint resolution approving the determination would have to be passed by Congress before the waiver would take effect.

By requiring a statutory affirmation of the President's determination, these provisions withstand the constitutional objections raised against legislative veto provisions in the INS versus Chadha Supreme Court decision. Section 6, however, also provides procedures for expedited consideration of any joint resolution approving a Presidential determination of compliance with the provisions of the bill by the Government of South Africa.

Mr. Speaker, the Rules Committee is greatly concerned over the proliferation and variety of expedited procedures being incorporated into legislation, often as a part of legislative veto provisions. Section 6(c)(1) of H.R. 1460 provides that joint resolutions affirming such a Presidential determination would be subject to a referral to the appropriate committees of the House and Senate. This is a general restatement of the rules of the House, and therefore not an issue of concern to the Rules Committee.

Section 6(c)(2) provides that a committee to which a joint resolution has been referred is discharged from further consideration of the matter if the measure is not reported at the end of 30 days. Mr. Speaker, while the Rules Committee did not propose amendments to this section of the bill, I would note that it is the view of the committee that the normal rules of the House provide adequate procedures for action on important and time-sensitive matters.

Section 6(c)(3) of the bill seeks to provide for expedited consideration of the joint resolution on the House floor. The language of section 6(c)(3) recommends that the Rules Committee report a resolution providing for immediate consideration of joint resolutions required by the bill. This represents a departure from the standard provision of rules providing for consideration of the bill at any time after the adoption of the resolution, subject to the Speaker's discretion to schedule such business.

Mr. Speaker, the Rules Committee has asserted jurisdiction over this legislation, and reported the same, for the purpose of expressing the Rules Committee's continuing concern over the cumulative effect of expedited procedures, and the potential danger which indiscriminate use of such procedures poses to the normal legislative process. The committee therefore intends to be active in reviewing the use of expedited procedures which circumvent the normal rules of the House, and I would urge my colleagues to refer to the Rules Committee report to accompany H.R. 1460 for a detailed discussion of the issues we believe must be addressed. Let me add, Mr. Speaker, that the Rules Committee



does appreciate the cooperation and assistance of the Foreign Affairs Committee in working out an acceptable agreement on this language for this particular bill.

As a final comment on this issue, Mr. Speaker, and in light of the comments I have offered on behalf of the Committee on Rules, I would like to impress upon my colleagues that the Rules Committee does not intend, in reporting this rule for consideration by the House, to establish any precedent in connection with provisions providing for expedited procedures for consideration of measures in the House. Rather, as I have already noted, it is the intention of the Rules Committee to give greater attention to these provisions in the future.

Mr. Speaker, House Resolution 174 is an open rule that will provide for full and open consideration of H.R. 1460. All Members will have an opportunity to offer amendments under the 5-minute rule, and the three substitutes to the bill will be offered at the conclusion of the amending process. I urge adoption of the rule and support for H.R. 1460.

Mr. TAYLOR. Mr. Speaker, I yield myself such time as I may consume.

(Mr. TAYLOR asked and was given permission to revise and extend his remarks.)

Mr. TAYLOR. Mr. Speaker, House Resolution 174 is an open rule under which the House will consider legislation imposing economic sanctions on South Africa.

The rule is designed to ease consideration by offering the House a range of choices on whether, and how, the United States should use our laws to influence the Republic of South Africa to end to its policy of apartheid.

The rule also permits a open process, under the 5-minute rule, for germane amendments to the bill, H.R. 1460, as reported from the Committee on Foreign Affairs.

The germaneness waiver allowed under the rule applies only to three specific substitutes that were printed in the RECORD of May 16.

Mr. Speaker, the essence of this rule is this: If the Congress is going to interject itself into this area of our foreign policy, at least we will have three specific options to consider in addition to the committee version.

The three substitutes made in order by this rule are ones submitted by the gentleman from Michigan [Mr. SILEXANDER]; the gentleman from Wisconsin [Mr. GUNDERSON]; and the gentleman from California [Mr. DELLUMS].

The rule sets up a fairly simple parliamentary procedure. First, there will be 2 hours of general debate. The bill reported from the Committee on Foreign Affairs will be the original text for the purpose of amendments, and it is open to any germane amendments under the 5-minute rule.

After all germane amendments have been disposed of, the three substitutes will be taken up in order. Each of

these amendments has been given a waiver of clause 7 of rule 16, because they are not germane to the reported bill.

Mr. Speaker, each of the three substitutes will be given 1 hour of debate and they will not be subject to amendment. The rule provides what some refer to as a king-of-the-hill approach for the three substitutes, that is, the last one to be adopted will be the one reported back to the House.

The rule guarantees the right of any Member to demand a separate vote on any amendment adopted in committee. This right extends to any germane amendments that may have been adopted to the foreign affairs bill, or the prevailing substitute should one of the three be adopted.

Last, the rule provides one motion to recommit with or without instructions.

Mr. Speaker, the rule is not nearly as controversial as the legislation it makes in order. It is fair to the Members who asked for permission to submit alternatives to the bill reported from the Committee on Foreign Affairs. It is fair to all other Members, since it allows for as their germane amendments as well.

Mr. Speaker, there is no reason for me to describe in detail the import and export bans and the economic sanctions imposed by this legislation on the American people and on U.S. corporations doing business with the Republic of South Africa.

Two of the sanctions suggested by the Foreign Affairs Committee can be waived by the President, if certain social conditions are met. Since congressional approval of these Presidential waivers would be necessary, congressional delay would seem to be something we want to avoid.

The bill requires approval of waivers through passage of a joint resolution. It also provides for automatic discharge from committee, if such a resolution is not reported after 30 days. Up to that point, the process is similar to other legislative approval mechanisms.

Mr. Speaker, once a resolution is discharged from a committee of jurisdiction, it ought to come directly to the floor as privileged.

The Foreign Affairs Committee has concocted a process for these resolutions that sidetracks them into the hands of the Committee on Rules, because such a resolution would need a special rule providing for floor consideration.

Mr. Speaker, this bill interjects the Rules Committee into what otherwise would be an expedited procedure, and I can see no good reason for doing that.

Mr. Speaker, while I do not oppose this rule, the bill it makes in order should be defeated on procedural grounds alone.

Mr. Speaker, I have no requests for time, and I yield back the balance of my time.

Mr. DERRICK. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered. The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. BROOMFIELD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 414, nays 4, not voting 16, as follows:

(Roll No. 120)

YEAS—414

Ackerman	Combest	Gejdenson
Addabbo	Conte	Gekas
Akaka	Conyers	Gephardt
Alexander	Cooper	Gibbons
Anderson	Coughlin	Gilman
Andrews	Courter	Gingrich
Annuzio	Coyne	Glickman
Anthony	Craig	Gonzalez
Applegate	Crockett	Goodling
Archer	Daniel	Gordon
Army	Dannemeyer	Gradison
Atkins	Darden	Gray (IL)
AuCoin	Daschle	Gray (PA)
Badham	Daub	Green
Barnard	Davis	Gregg
Barnes	de la Garza	Grotberg
Bartlett	DeLay	Guarini
Barton	Dellums	Gunderson
Bateman	Derrick	Hall (OH)
Bates	DeWine	Hall, Ralph
Bedell	Dickinson	Hamilton
Beilenson	Dicks	Hammerschmidt
Bennett	Dingell	Hansen
Bentley	DioGuardi	Hartnett
Bereuter	Dixon	Hatcher
Berman	Donnelly	Hawkins
Beverly	Dorgan (ND)	Hayes
Biaggi	Dorman (CA)	Hefner
Billrakis	Dowdy	Heftel
Billey	Downey	Hendon
Boehlert	Dreier	Henry
Boggs	Duncan	Hertel
Boland	Durbin	Hiler
Boner (TN)	Dwyer	Hillis
Bonior (MI)	Dynally	Hopkins
Bonker	Dyson	Horton
Borski	Early	Howard
Bosco	Eckart (OH)	Hoyer
Boucher	Eckert (NY)	Hubbard
Boulter	Edgar	Huckaby
Boxer	Edwards (CA)	Hughes
Breaux	Edwards (OK)	Hunter
Brooks	Emerson	Hutto
Broomfield	English	Ireland
Brown (CA)	Erdreich	Jacobs
Brown (CO)	Evans (IA)	Jeffords
Broyhill	Evans (IL)	Jenkins
Bruce	Fascell	Johnson
Bryant	Fawell	Jones (OK)
Burton (CA)	Fazio	Jones (TN)
Bustamante	Feighan	Kanjorski
Byron	Fiedler	Kaptur
Callahan	Fields	Kasich
Campbell	Fish	Kastenmeyer
Carney	Flippo	Kemp
Carper	Florito	Kennelly
Carr	Foglietta	Kildee
Chandler	Foley	Klecicka
Chappell	Ford (MI)	Kolbe
Chappie	Ford (TN)	Kolter
Cheney	Fowler	Kostmayer
Clay	Frank	Kramer
Clinger	Franklin	LaFalce
Coats	Frenzel	Lagomarsino
Cobey	Frost	Lantos
Coelho	Fuqua	Latta
Coleman (MO)	Gallo	Leach (IA)
Coleman (TX)	Garcia	Leath (TX)
Collins	Gaydos	Lehman (CA)

Lehman (FL)	O'Brien	Smith (NE)
Leland	Oakar	Smith (NH)
Lent	Oberstar	Smith (NJ)
Levin (MI)	Obey	Smith, Denny
Levine (CA)	Olin	Smith, Robert
Lewis (FL)	Ortiz	Snowe
Lightfoot	Owens	Snyder
Lipinski	Oxley	Solarz
Livingston	Packard	Solomon
Lloyd	Panetta	Spence
Loeffler	Parris	Spratt
Long	Pashayan	St Germain
Lott	Pease	Staggers
Lowery (CA)	Penny	Stallings
Lowry (WA)	Pepper	Stangeland
Lujan	Perkins	Stark
Luken	Petri	Stenholm
Lundine	Pickle	Stokes
Lungren	Porter	Stratton
Mack	Price	Studds
MacKay	Pursell	Sundquist
Madigan	Quillen	Sweeney
Manton	Rahall	Swift
Markey	Ray	Swindall
Marlence	Regula	Synar
Martin (IL)	Reid	Tallon
Martinez	Richardson	Tauke
Matsui	Ridge	Tauzin
Mavroules	Rinaldo	Taylor
Mazzoli	Ritter	Thomas (CA)
McCandless	Roberts	Thomas (GA)
McCloskey	Robinson	Torres
McCollum	Rodino	Torricelli
McCurdy	Roe	Towns
McDade	Roemer	Trafficant
McEwen	Rogers	Traxler
McHugh	Rose	Udall
McKernan	Rostenkowski	Valentine
McKinney	Roth	Vander Jagt
McMillan	Roukema	Vento
Meyers	Rowland (CT)	Visclosky
Mica	Rowland (GA)	Voikmer
Michel	Roybal	Vucanovich
Mikulski	Russo	Walgren
Miller (CA)	Sabo	Walker
Miller (OH)	Savage	Watkins
Miller (WA)	Saxton	Waxman
Mineta	Schaefer	Weaver
Mitchell	Scheuer	Weber
Moakley	Schneider	Weiss
Mollinari	Schroeder	Wheat
Mollohan	Schulze	Whitehurst
Monson	Schumer	Whitley
Montgomery	Seiberling	Whittaker
Moody	Sensenbrenner	Whitten
Moore	Sharp	Wilson
Moorhead	Shaw	Wirth
Morrison (CT)	Shelby	Wise
Morrison (WA)	Shumway	Wolf
Mrazek	Shuster	Wolpe
Murphy	Sikorski	Wortley
Murtha	Siljander	Wright
Myers	Sisisky	Wyden
Natcher	Skeen	Wyllie
Neal	Skelton	Yates
Nelson	Slattery	Young (AK)
Nichols	Slaughter	Young (FL)
Nielson	Smith (FL)	Young (MO)
Nowak	Smith (IA)	Zschau

## NAYS—4

Burton (IN)	Kindness
Crane	Stump

## NOT VOTING—16

Aspin	Lewis (CA)	Schuette
Coble	Martin (NY)	Strang
Hall, Sam	McCain	Williams
Holt	McGrath	Yatron
Hyde	Rangel	
Jones (NC)	Rudd	

## □ 1537

So the resolution was agreed to. *Le*  
 The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 174 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1460.

## □ 1537

## IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for consideration of the bill, H.R. 1460, to express the opposition of the United States to the system of apartheid in South Africa, and for other purposes, with Mr. DE LA GARZA in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the first reading of the bill is dispensed with.

Under the rule, the gentleman from Michigan [Mr. WOLPE] will be recognized for 30 minutes, the gentleman from Michigan [Mr. SILJANDER] will be recognized for 30 minutes, the gentleman from Maryland [Mr. MITCHELL] will be recognized for 30 minutes, and the gentleman from Ohio [Mr. WYLIE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan [Mr. WOLPE].

Mr. WOLPE. Mr. Chairman, I yield myself such time as I might consume.

Mr. WOLPE. Mr. Chairman, the legislation that is before us today, the Anti-Apartheid Act of 1985, is the product of the effort of many people, and enjoys very broad bipartisan sponsorship and support. But I want to pay particular tribute to certain individuals who have played an especially critical role in shaping and moving this bill. I am thinking of such Members as my distinguished chairman, the gentleman from Florida, Mr. FASCELL; the distinguished gentleman from Maryland, Mr. MITCHELL; our distinguished colleague from the District of Columbia, Mr. FAUNTROY; the gentleman from New York and the previous chairman of the Subcommittee on Africa, Mr. SOLARZ; the chairman of the Congressional Black Caucus, Mr. LELAND; my colleagues from Michigan, Mr. CROCKETT and Mr. CONYERS; our distinguished colleagues from California, Mr. DELLUMS and Mr. BERMAN; the gentleman from Louisiana, Mr. ROEMER; and the gentleman from New York, Mr. RANGEL. But one person deserves special mention, and that is the principal sponsor of the Anti-Apartheid Act of 1985, our colleague from Pennsylvania, Mr. GRAY. It was Mr. GRAY who understood long before most of us that the Congress was ready to move beyond token measures to take decisive action against apartheid. It is his vision and determination that have been critical at every point of this legislative process. Finally, may I also express my personal appreciation to the staff of the House Subcommittee on Africa—to Anne Holloway, Steve Weissman, Salih Booker, and Mickey Harmon. No chairman could be better served by a more competent or a more dedicated staff. Mr. Chairman, the Anti-Apartheid Act of 1985 offers this Congress an historic opportunity to redirect American policy toward the apartheid regime of the

Republic of South Africa in a way that will, at long last, be consistent with American values and American national interests. We have an opportunity, through this legislation, both to advance the struggle for political freedom for South Africa's disenfranchised and subjugated black majority, and to make clear—not only to South Africans but to the entire world—that America stands not with the oppressors but with those who are the victimized in South Africa. We will assert through the passage of this legislation, that the American people understand what their Government has temporarily forgotten: The struggle in South Africa is not between black and white, but between those who wish only to be free and those who would deny their freedom. And in this struggle for freedom, for liberation, for human dignity, America cannot and will not remain neutral. We will affirm through our passage of this legislation that Americans understand that the struggle for freedom and justice in South Africa cannot be separated from the struggle for freedom and justice in the United States. The struggle against apartheid in South Africa—is part and parcel of the continuing struggle against racism in America.

When the Reagan administration came into office, it proclaimed that, as far as South Africa was concerned, it had a new and better idea. The goals of American foreign policy, we were told, remained the same: Pressing for an end to the system of institutionalized racism known as apartheid, and getting South Africa to remove itself from its illegal occupation of Namibia. Only the means of achieving these goals would change.

However it was intended, it is clear today that 4½ years of "constructive engagement" with South Africa has had some terribly destructive consequences—not only for the process of change in South Africa itself but for American interests as well. Not only has repression within South Africa sharply intensified, but South Africa remains in Namibia, in open defiance of the international community and of international law, and has engaged in a campaign of aggression and destabilization directed at almost all of its neighboring states. During the past 4 years South Africa has occupied Angola, it has launched brutal raids into Lesotho and Mozambique, it has supported insurgencies in Mozambique and Angola, it has attempted to overthrow the Government of the Seychelles, and it has sought to destabilize Zimbabwe.

This is what "constructive engagement" has wrought. And we should not be surprised by this disastrous turn of events. For what was signaled by the Reagan administration's "constructive engagement" policy is that the Afrikaaner regime would have a much freer hand to do what they will—both internally and in the



region. The administration has made it clear to white and black South Africans alike that there would be no response from the American side, no cost imposed on the South African-American relationship—no matter how repressive the regime became or how much aggression it launched against its regional neighbors.

It is true that administration officials have continued to verbally condemn apartheid, and to call on South Africa to remove itself from Namibia. But against a backdrop of expanded commercial relationships and closer military and nuclear cooperation, such protests have sounded very hollow indeed. The harsh truth is that "constructive engagement" has led the entire world to believe that the United States has decided to accommodate itself to apartheid. "Constructive engagement," rather than facilitating a process of nonviolent political change in South Africa, has had the perverse consequence of adding to the repression and to the violence. It has led the Afrikaaners to conclude that, with a few cosmetic changes here and there, they will be able to retain their economically critical links to the United States and the international community without altering the system of apartheid in any fundamental way. Is it any wonder that the Afrikaaner regime takes enormous satisfaction from "constructive engagement," while the 85 percent of the South African population that is not white finds in American policy only disillusionment and despair?

There are still some apologies for the South African regime who continue to insist that things are changing for the better in South Africa, and that we need to remain patient and constructively engaged. Recent constitutional changes creating separate legislatures for the Asian and colored populations, and recent pledges to abolish the Mixed Marriages and Immortality Acts, are cited by administration spokesmen as evidence of fundamental change in South Africa. But what these claims ignore is that these recent initiatives are designed to strengthen, not weaken, the political structure of apartheid and white domination by making it more palatable domestically and internationally. While legal bans on interracial marriage and sex are to be removed, the Government has simultaneously reiterated that the pillars of the apartheid system: The Group Areas Act, the Separate Amenities Act, the Population Classification Act, and the separate Education Acts are all to be maintained.

What apologies for the South African regime conveniently ignore is that repression in South Africa continues unabated as does the economic impoverishment of the black population. The statistics are staggering:

Over 300 blacks have been killed since last September, largely by brutal

police action in response to anti-apartheid protests;

In one recent episode, during a non-violent funeral procession, at least 17 blacks were shot in the back by South African police;

In 1984 there were more detentions without charges under South African security laws—over 1,100—than in any year since the 1976-77 Soweto uprising;

In 1984, the Government renewed the national ban on outdoor meetings, expanded restrictions on indoor meetings, banned the nonviolent United Democratic Front and 28 other organizations from holding meetings in certain areas, and charged 17 UDF leaders—including 4 trade union leaders—with high treason;

In the last 4 months, over 21,000 workers have been fired for political or economic strikes. Many of these workers are being deported to their so-called homelands. And, according to the AFL-CIO, 21 labor leaders remain in detention.

Since 1960, 3.5 million blacks have been forcibly removed from their homes and deported to the "homelands," and another 1.5 million are scheduled for further removal.

Between 1980 and 1982, arrests for pass law violations doubled to 206,000.

The announcement just a short while ago that the Kwandebele "homeland" will become "independent" in 1986 will bring to five the number of homelands designated by Pretoria that will have been brought to nominal "independence" since 1976. Thus, the number of Africans deprived of their South African citizenship will rise from 8 million today to more than 9 million—over 40 percent of the black African population.

As for the claims for economic and social progress in South Africa, let it be noted that in the last 20 years economic and social conditions of the vast majority of South African blacks have drastically worsened. According to the Carnegie Foundation's ongoing enquiry:

The number made destitute by landlessness and unemployment rose from 250,000 to 1.43 million between 1960 and 1980;

The number living below a very minimal poverty line but having some income increased from 4.9 to 8.9 million during these years;

Fully one-fourth of all black women in South Africa live apart from their husbands because of influx control regulations;

The average per capita income of the relatively better-off urban blacks is still only 18 percent of that of whites; and

The Government spends eight times as much per capita on the education of white students as it does on the education of black students.

Mr. Chairman, it is against this backdrop that today's debate on the Antiapartheid Act of 1985 takes place. Let us understand clearly what apart-

heid represents. Let us resist the temptation to see progress where there is none, to substitute the wish for the reality. Who among us would give up our place in this world to live in that of South Africa if our skins were black? Who among us would wish to submit to the daily indignity of carrying a piece of paper, bearable on demand, that controls every aspect of our lives? Who among us would be content to see our families separated from us by law in order to satisfy draconian rules of economic supply and demand? Who among us would tolerate almost total impoverishment when around us a tiny minority possessed all political rights and an abundance of material wealth as a consequence of our servitude? Who among us would be willing to live and exist in such an inhuman environment? Finally, who amongst us is comfortable with the knowledge that much of the world today sees the United States as an accomplice to apartheid?

Mr. Chairman, today we begin the important process of disassociating ourselves from the horrendous apartheid regime of South Africa. Passage of the Antiapartheid Act of 1985 will send a powerful message to that regime that the American people will no longer tolerate official U.S. Government acquiescence to apartheid. We will no longer extend legitimacy to a government that forces its own people into an exile within their own country. Rhetoric can no longer suffice in the face of such grave injustice and gross violation of state authority against a people who merely seek what we all seek—equal political, economic and social rights before the law. American national interests, together with the deeply held commitments to social justice and political freedom that define what it means to be an American, compel us to legislate a response that will matter. This is our charge today, and our witness as Americans of diverse faiths, beliefs and racial backgrounds who care about the future of an interdependent world.

□ 1540

Mr. WEISS. Mr. Chairman, will the gentleman yield to me?

Mr. WOLPE. I yield to the gentleman from New York.

Mr. WIESS. I thank the distinguished chairman of the Subcommittee on Africa for yielding to me.

I want to commend him on his statement and I am proud to join with him in supporting this legislation.

Mr. Chairman, I rise today too and my voice once again to the growing chorus of Americans across the country—many of them Members of this body—who have spoken out in one form or another against the continuing violence and oppression of apartheid in South Africa.

The list of transgressions committed by the South African Government against blacks is lengthy and shame-

ful. But as Elie Wiesel has pointed out, the most dreadful aspect of South Africa's racial laws is that they are the law. The law in South Africa is unlawful. Wiesel said, "When the law itself becomes criminal, its authors are doubly criminal they deprive their victims of the basic right granted to all human beings: recourse to justice." Apartheid is the codification of injustice and deliberate disregard for human rights.

Recently, the South African Government has asserted that changes are occurring that will move the country closer to a just society. But these changes are merely cosmetic and have been accompanied by an escalation in violence and repression of blacks. They have done nothing to change the agony and despair of being a black South African.

More than 250 blacks have been killed and nearly 1,000 injured at the hands of the South African police and military since August 1984. About 3,000 have been detained since last August, many of them children and teenagers. More than 200 are still being held.

Meanwhile, the Reagan administration presses on with its wornout policy of constructive engagement—a policy that has proven too patient and too accommodating to effect any positive changes in South Africa's racism; a policy which is an embarrassment to the United States. As Randall Robinson, outspoken critic of apartheid and leader of the Free South Africa Movement, has said, "constructive engagement cannot be a policy option to any American administration which accepts the right of black South Africa to full enfranchisement and self-determination."

In short, constructive engagement has failed. It amounts to collaboration with racial supremacy and oppression. It is in part because of the failure of constructive engagement that the sanctions in the Anti-Apartheid Act must become law.

The United States, as a democracy and as the most affluent and powerful nation in the world, has a moral responsibility toward South African blacks to do everything possible to alleviate the injustice of their lives.

When enacted, these sanctions will clearly demonstrate to the South African Government and to South African blacks that the United States is no longer neutral, that we expect political enfranchisement and respect for the human rights of all South Africans.

The sanctions in H.R. 1460 prohibit new investment by U.S. firms doing business in South Africa, ban new bank loans to the government, prohibit the sale of computers that help the government enforce apartheid controls, and ban the sale of South African gold Krugerrands.

South Africa depends heavily on foreign investments, bank loans, and the sale of Krugerrands for its economic security. John Vorster, a former South

African Prime Minister, said, "Each trade agreement, each bank loan, each new investment is another brick in the wall of our continued existence." The prohibitions in H.R. 1460 will shake the foundations of this wall. Through economic sanctions we have the hope of gaining the necessary leverage to force negotiations between Pretoria and black South African leadership to head off full-scale violence and bloodshed.

The time to move against apartheid is now. The vehicle is the Anti-Apartheid Act of 1985. The House has passed virtually this entire bill in the last Congress as amendments to other legislative measures. We have the opportunity today to vote for the separate amendments shaped into one self-standing bill. I urge my colleagues to give their overwhelming support to H.R. 1460 as a demonstration of the will of America to topple the wall of apartheid.

Mr. ADDABBO. Mr. Chairman, will the gentleman yield?

Mr. WOLPE. I yield to the gentleman from New York.

(Mr. ADDABBO asked and was given permission to revise and extend his remarks.)

Mr. ADDABBO. Mr. Chairman, I would like to add my voice to those of my colleagues in condemnation of the system of apartheid that now exists in South Africa and in full support of this legislation—I commend the gentleman from Michigan [Mr. WOLPE], and the gentleman from Maryland [Mr. MITCHELL] for bringing up this important legislation.

It has long been my contention that the greatest failing of American foreign policy in the post-World War II period, has been our shortsighted position of supporting any government, no matter how repressive, as long as it says it is anti-Communist.

Of course our primary foreign policy objective must be the containment of communism and stopping the spread of Soviet influence. But for too long our policies have had precisely the opposite effect.

Once and for all it is time for this country to take its head out of the sand and recognize that the policy of constructive engagement has failed. Our efforts at friendly persuasion have not produced one single reform in that abhorrent system worth mentioning. In fact it is difficult to open a newspaper or turn on the television without seeing evidence that the regime has become bolder in its racist policies.

It is time for us to declare that apartheid is inimical to everything this country stands for. We have learned from bitter experience what can result when we refuse to face up to evil that exists around us. The blood of innocent people has already begun to flow in South Africa. I call on the President and the Congress to act now before even one more drop is spilled.

Mr. WOLPE. Mr. Chairman, I reserve the balance of my time.

Mr. SILJANDER. Mr. Chairman, I yield myself such time as I may consume.

(Mr. SILJANDER asked and was given permission to revise and extend his remarks.)

Mr. SILJANDER. Mr. Chairman, not too long ago, I stood in this well and engaged in our first dealing with the apartheid issue. The amendment I offered then was to make mandatory the Sullivan principles for our own Embassy in South Africa.

Mr. Chairman, I am happy to report that under unanimous consent, the House did adopt that amendment. However, that is just a beginning of a long-term, protracted engagement to force the Government of South Africa to change their vicious policy of apartheid in their country. The system of apartheid separates workers from their families, it denies democratic rule to the legitimate majority, it consigns many to poverty, it denies blacks freedom of internal travel, provides for forcible removal of people from their homes, and basically denies human rights to the majority.

This, in my opinion, Mr. Chairman, damages the reputation of the Republic of South Africa and helps contribute to the instability of the entire region. Apartheid runneth against the principles of civilized nations.

It debases human dignity and is obviously repugnant to U.S. values. Our policy must be to oppose vehemently the apartheid system in South Africa, especially through peaceful diplomatic means and, if necessary, through enactment of appropriate laws.

When I visited South Africa, I engaged in conversation with many of the black and white leaders of that country. It is incredible for us to think in America, where we enjoy such wonderful freedoms of travel, speech, congregation, organization, that in that country, if you happen to be black, you are required under their pass laws to hold an internal passport of sorts and are required, in order to travel to certain cities within that country, a stamp by the government, approval just for mobility between one community and another.

There is also a policy that attempts to set aside 20 percent of the land for homeland for 80 percent of the majority, and 20 percent minority would use 80 percent of the land. The blacks oppose this homeland policy, and so should the Congress.

The Immorality Act suggests that one cannot have relationships with the opposite race. And the Mixed Marriages Act would suggest that a black and a white cannot marry. These laws are ludicrous and need to be changed. If you happen to be black, a black can be detained in any place at any time for any period of time from 1 hour to 3 or 4 months without communicating with that person's spouse or family,



and oftentimes they do not know their whereabouts.

Is it a problem? Eighteen million blacks have been arrested for pass law violations since its inception. There are many other problems in South Africa. That just highlights what I consider, Mr. Chairman, to be some of the central problems. Also, in talking with the white government majority, in the government leadership, I did notice something interesting, however, and if there is any glimmer of optimism or hope, as small as it might be, I think at least in 1985, the static conditions are beginning to shift and change a bit, a little bit.

□ 1550

President Botha said that "blacks should be involved in the political process." Well, so what? But this statement is a significant change of mind and philosophy compared to what it was only a decade ago.

There has been a 180-degree shift in South Africa, from just 6 months ago. There seems to be a slow, building momentum gathering toward significant attitude change in South Africa. There is a shift of rhetoric by the leadership, and there are changes of policies underway that were not there even 6 months ago.

We should seize the breakage of this position of frozen dogma to help accelerate change. Some of the examples since 1977: Trade and labor unions are beginning to flourish, and I mean black trade and black labor unions. The policy of blacks being only temporary workers has changed, and now blacks are recognized as permanent. The Mixed Marriages and Immorality Acts are in the process of being abolished. Group areas, influx control and detention laws are at least on the agenda for change by President Botha.

Now I want to emphasize, and please hear me out: These changes are insignificant relative to the human suffering and the plight of blacks in that country. They are insignificant in the specifics of change and human thought, but they are significant in the change of mindset and attitude among whites. That is what I consider important.

In fact, we are seeing this hard line and this Afrikaner mindset beginning to see the reality of needing to move off dead center and recognize the need for change.

Now we must press, with the greatest vigor and positive influence possible to help accelerate that change. How can we do that?

Well, there are two bills, as I see it, that are important: There is the Gray approach and the Siljander approach. They both deal with present business. Let us analyze what the various bills do with present business? The Gray approach does nothing with present business. However our approach expands the influence that has instigated change; in the form of requiring all present business to conform to the full

extent—not a modified version, but the full extent of the Sullivan principles; that has contributed \$100 million, to black education, black scholarships, housing, and health.

It has helped put 120,000 blacks to work learning skills, earning promotions in desegregated American companies. The Sullivan principles can help prepare blacks to effectively challenge apartheid.

Industrialization and urbanization has doomed the Afrikaners' vision of apartheid and separation and dominance. The soft underbelly of apartheid is obvious. The government, the white minority, is now dependent on the black work force. They are three-quarters of the work force and 50 percent of the skilled work force. The growing labor union influence cannot be discounted.

We need to help promote what will create real change and not stagnation. We need to contribute to the black economic leverage for change.

I would like to read a quote from Colin Eglin, who is a member of the South African Parliament. He is white, but he is national chairman of the Progressive Federalist Party. They are the party that opposes apartheid.

He says, and I quote:

These forces that increase the economic muscle [meaning, like the Sullivan principles] of black South Africans so that they are in a stronger position to bargain for their rights and fight for their liberation. It is these forces that promote peaceful change from within South Africa that must be strengthened and encouraged.

I would also like to quote from Chief Gatsha Buthelezi, of the Zulu Nation. He says:

I fail to see those who agree with this statement can possibly talk about effective economic isolation. Isolation will bring stagnation to the economy and perhaps even destroy its growth base. It is the circumstance of a rapidly changing and expanding economy where the independence of black and white is vastly increased. That is propensity of this country.

How do we deal with new business? Let's look at the two bills? Mr. GRAY of Pennsylvania eliminates, without real achievable qualifications, all new business in South Africa. Mr. SILJANDER, on the other hand, does something different. We say to new American businesses: You cannot enter South Africa unless you are willing to sign full compliance with the Sullivan principles. The very things we have talked about to help contribute to change.

So if you want to go to South Africa, expand business or create new business, then contribute to changes that have helped the oppressed black majority in that country.

Funding the process ourselves is another important aspect. How do we encourage self-determination? Will we put our money where our mouth is?

Now here is a conservative talking, a fiscal conservative. The Gray bill, in terms of dealing with assisting blacks in scholarship, housing, and education,

does nothing. Our bill, increases the human rights fund to \$2 million. Black scholarships, which are now nonexistent, will get \$15 million. National Endowment for Democracy, \$1.5 million, and we allow OPIC a variance from banning their involvement in South Africa to cooperate with black cooperative business ventures.

These are positive approaches that help contribute to change. I believe that systematically applying pressure in a positive emphasis is what we need to strive for.

Now how do we keep up the pressure? How do the two bills keep the pressure up for change in South Africa?

GRAY cuts off business loans, Kruggerands, computers, and expects major changes on eight points. Our bill forces positive influence, as I said, by making new business and existing business conform to a positive change in the Sullivan code.

Second, we give extensive revenues to help them to change.

Third, we establish a commission that, over a 3-year period, would report to Congress at 6-month intervals on seven points of apartheid; many of the same ones that GRAY outlined. These points are the basic core that make up that abhorrent system of apartheid: The group areas act, influx control and pass laws, detention laws, and others.

If, at the end of those 3 years, the commission decides that there has not been significant change in these crucial areas, the essence of the system of apartheid, then the commission can recommend sanctions to the U.S. Congress.

I think that 3 years, considering the change and the movement of attitude and philosophy, is appropriate. I think it is fair. Three years is not too long to wait. We here on this floor the ongoing need to avoid violence and to work toward productive change, and I agree, and that is why we should give all peaceful change, peaceful opportunities, and options a chance.

The issue is not really whether apartheid should be eliminated. That is not the issue here today. I do think everyone in this Chamber at least would admit that they support change in South Africa. Certainly this Member would not consume all of this time if I did not believe personally and intimately, faithfully, and deeply that that terrible system needs to be changed.

What we disagree on is the process of encouraging and forcing and prompting that change.

Now there are four major points to the Gray bill. I wonder just how effective they are.

The first thing the Gray bill does, essentially, is ban computer sales. Well, come on in, Japan. Japan will simply fill the void; they have done so since 1976. Their market in South Africa in computers has increased 206

percent. So what good will that do pressuring South Africa, to allow Japan, as opposed to the United States, to sell them the computers?

Second, bank loans to the government will be banned. So without a Gray bill, without any bills of Congress, the loans to the Government of South Africa from American banks have already been cut in half, and that 50-percent figure is growing each and every day.

The New York Times reports that virtually all American banks and major banks have stopped lending to the government and its agencies, already.

Citicorp, J.P. Morgan & Co., and NCNB Corp., have adopted policies prohibiting loans to the public sector; and the Government Relations Council of the American Bankers Association, in an unusual move—says the New York Times—passed a resolution earlier this month encouraging banks not to lend to the government or its agencies, and to lend to the private sector only.

□ 1600

So without the Gray bill and without this bank provision, this system of pressure is already underway. Let me ask another question. I have heard in committee, when we have debated this bill, the arguments are usually retorted: "Well, we have to isolate ourselves from a nation who practices the evils of apartheid." Hear, hear; but this does not break away from the nation that practices apartheid. The loans are not banned to the private sector, just the public sector. Why not go all the way if we are so interested in isolating ourselves?

Krugerrands, for example. Is that going to apply pressure on the third point of the Gray bill? For each \$350 in krugerrands, \$49 goes to a black family, and 40 cents goes to the South African Government. What in the world will that do to help encourage the government but devastate the very people we are attempting to help: The black majority who are oppressed.

Let us keep these statistics in mind. Every black worker, especially in the gold mines of South Africa, feeds at least 6 to, some say up to 10 other mouths besides their own. In Lesotho alone, 65 percent of the GNP comes from South Africa, and 51 percent of that GNP figure is from gold mining alone. Lesotho is not a country that involves itself in apartheid.

Why not go all the way with chromium, manganese, vanadium, platinum, and gold bullion? If we are really serious about disassociating ourselves from the issue of apartheid in South Africa, then let us not be halfway about it; let us go all the way.

Now, I personally would not support that approach, but what I am trying to point out is that these halfway measures are not effective and will not be effective to promote change.

The last and fourth point of the bill: No new business. Well, you might as well say, why not just disinvest all together—and we have a chance to vote on that today yet. We have a chance to vote on that today yet. No new business. So what? We have disinvestment now without a Gray bill or a Siljander bill or a Dellums substitute. We have disinvestment now.

I mentioned that bank loans have been cut in half. Six States, 24 cities have passed resolutions divesting. Forty universities and eleven corporations are saying they are pulling out. Major corporations are leaving. They say, "The political instability of South Africa and in Washington is too much for us."

Already, these universities, for example, have sold \$300 million in stocks. The stock and bond value, corporately, of all that I have mentioned is \$1.5 billion. Not much for us, but significant for an economy the size of South Africa. We already have nearly 20 sanctions now around the world from arms sales and energy sales in South Africa. We have not seen a lot of change as a result.

I argue that if disinvestment is going to pressure the government to change, well, it has. The reality of disinvestment without the fact of laws forcing it has jarred the government to a point where they are willing to change; the world pressure is building. American pressure is building, and I believe, as I said earlier, that change of mind and thought is underway.

I have another concern after meeting with the white leadership of that country. Could disinvestment and/or sanctions force the government into a harder line than the hard line now that we see softening? Remember power is important to any political leader. The white African leadership do have a constituency, and if their people perceive that they are changing their form of government because of outside pressure, from a GRAY, a SILJANDER, a DELLUMS, or a GUNDERSON, they will kick their own people out of office.

The reality is that whites run that country; the reality is that whites vote for the whites, and they are self-preservationists. They are not going to give up their power. It could force them to an isolationist corner which could end the softening process that has begun.

I would like to read another quote from Chief Gatsla Buthelezi of the Zulu Nation. He says,

We have to shape events in our own chosen direction. We have to fashion our society after the models that we ourselves emulate. Not outside forces.

What SILJANDER is trying to do is contribute to positive inside change, incorporating change by positive movement from the outside.

Our bill, I feel, recognizes that balance of imposing outside change to strengthening within, which I think is a positive alternative. With these

major elements of apartheid at least on the docket for potential consideration: Detention laws, Group Areas Act, influx control pass laws—should it not be better to encourage change internally rather than force the dogmatic line even harder?

The last point, Mr. Chairman, that economic sanctions, or disinvestment I think in the end result will be a violent solution. It will be a violent solution, and I said earlier that we have heard countless speeches on the floor, we now have our Nicaragua and Iran. Why do we have to push toward a violent solution? Let us do all we can in a peaceful way before we resort to violence.

Placing economic hardships on the already oppressed black minority is fostering an environment of revolution. What are the alternatives for blacks if we disinvest or begin divesting out of South Africa? What leverage is left for us? What alternatives are left for the blacks, especially if we force the Afrikaans into a hardline corner? Three hundred and fifty thousand legal workers from other countries work in South Africa, and 1.5 million, feeding again the 6-to-1 or 10-to-1 ratio, undermines the development of poor countries around that region.

South Africa has the seventh largest army in the world. Oh, yes, let it go to revolution; force the Afrikaans into a radical corner, and what is the alternative? Revolution. Whose blood will be flowing down the sewers of Johannesburg and Soweto and Crossroads? It will not be white blood; it will be black blood that will be flowing down the sewers after a violent revolution ensues against a devastatingly strong and powerful army.

We need to use our great influence to help the advancement of blacks; not the destruction. Now, the people there do not want disinvestment. Are they interested in sanctions? No. A poll taken, now granted there has been criticism of the poll, but I would urge those that criticize the poll to read very specifically and very carefully exactly how the poll was done and taken, and I think they will find unequivocally that it was taken in a fair manner.

Seventy-five percent of the blacks in South Africa said they oppose disinvestment. An additional 10 percent said that if Sullivan were made mandatory, then they would oppose disinvestment. Now we are up to 85 percent. And 5½ percent said they did not care one way or the other or had no opinion. That is 90.5 percent saying they are either against disinvestment or would be against it if Sullivan were mandatory or just did not care one way or the other. So give it 10 percent variance either way, and I just do not see why we are forcing something on a community who does not seem to support it.

By the way, if the blacks in South Africa are really so energetic about disinvestment, why do they not walk



off their jobs in a general strike. Let them disinvest themselves from the system. It is easy for us in our comfortable abodes and full stomachs and \$74,550-a-year salaries and a beautiful Members' dining room and a cloak room; it is easy for us to say, "Spill your blood; lose your jobs; do not feed the rest of the families; let the rest of the countries around rot, because we know this is for your betterment and for the future."

□ 1610

It is easy for us to sit here and tell someone else to sacrifice. I would submit to you it seems pretty clear that the people there are not going to sacrifice as much as we want them to. More violence does not help. More violence will not soften the Afrikaner government.

Last, Mr. Chairman, how in the world would it help if we disinvested completely, or the sanctions are so severe that our American firms are crippled and have to leave, and the South African Government nationalizes the firms, kicks out the blacks who have been moving up in management mobility and puts in white Afrikaners after nationalization? How in the world does that help in the plight of the blacks?

Mr. Chairman, I think it is clear that if we expect change in South Africa, we should stand up against apartheid, but we should stand up against apartheid in a positive, effective way, not in a way that will hinder effective and dynamic change in that horrible apartheid system.

The CHAIRMAN. The gentleman from Michigan [Mr. SILJANDER] has consumed 26 minutes.

The Chair has been advised that we will proceed with the hour of general debate between the gentleman from Michigan [Mr. WOLPE] and the gentleman from Michigan [Mr. SILJANDER] and then proceed with the additional hour.

Mr. WOLPE. Mr. Chairman, I yield myself such time as I may consume.

Mr. RITTER. Mr. Chairman, will the gentleman from Michigan yield?

Mr. WOLPE. I yield to the gentleman from Pennsylvania.

(Mr. RITTER asked and was given permission to revise and extend his remarks.)

● Mr. RITTER. I thank the gentleman for yielding.

Mr. Chairman, my constituent, Mrs. Dorothy Roth, is an American with South African roots, family roots, still in South Africa. She has shared her feelings with me in a recent letter.

I would like to share those feelings and that letter with my colleagues as we move toward a vote on the issue of America's best role in bringing change in South Africa.

Mrs. Roth's personal knowledge of the problem, her extraordinary sensitivity, her alarm, are worthy of my colleagues' consideration. I will be sending a CONGRESSIONAL RECORD copy

of Dorothy Roth's letter to each Member of the House. I urge you to please find the time to read it.

The letter follows:

ALLENTOWN, PA.  
May 16, 1985.

Hon. DON RITTER,  
Washington, DC.

DEAR CONGRESSMAN RITTER: Friday, May 3rd, our local newspaper, The Morning Call, headlined the following: "Panel backs sanctions against South Africa."

I read with alarm that the Democratic controlled House Foreign Affairs Committee voted 29-6 to impose new economic sanctions against South Africa and its system of racial apartheid. It also wants to suspend the sale of American computers and shut off imports of the South African gold coin—the Kruger Rand.

My question to them is, What do they hope to accomplish? And whom do they wish to help?

If the answer is to do away with apartheid I doubt their action's effectiveness. If it is to help the racially oppressed blacks improve their lot, I have to tell them their proposed sanctions will do the reverse.

From last year till today there has been a shocking economic upheaval in South Africa. I feel the happenings there transcend apartheid. It may even affect the survival of blacks and whites. I am very concerned, hence this letter to you.

I am from South Africa. I met my husband, Saul, in 1942 when his troopship, the S.S. Brazil was the first U.S. convoy to sail into Cape Town harbour. We corresponded for five years while he served in the China, Burma, India theatre of war. In 1947 we were married in Wilkes Barre, Pennsylvania.

I am a very proud American, the mother of two daughters; one an Orthopedic Surgeon, the other, a doctor of Psychology. I am a painter, potter and sculptor and writer. I thank God for all the wonderful opportunities I have enjoyed in this fabulous country and daily look for ways to be involved and say, "Thank You America".

Since 1947 I have made several return trips to South Africa. The past seven years I have made annual trips of six weeks duration to be with my aged mother. When I departed in Johannesburg this February, en route to Cape Town, I was shocked to learn about South Africa's horrendous economic problems, which began with businesses dealing with America and Europe that failed to insure themselves against the fluctuation of the dollar. This had a domino effect on others. While there fifteen bankruptcies a day were listed in the press, Some of the folded giants were familiar names to me, some personal friends. Exacerbating the situation were the abnormally high interest charges, 28% to excellent accounts, 32% to others. Shopping Malls, fabric manufacturing plants and other businesses suddenly closed. And builders of luxury apartments viewed with alarm their unsold condominiums, situated on the choicest waterfront locations, which last year, would have been fought over!

When I visited South Africa last year, the Rand was worth one dollar and nineteen cents. It dropped to 42 cents when I arrived this year. It since has risen to 50 cents.

Blacks and whites are victimized by this economic upheaval. While apartheid is obscene, repulsive, any adjective one wants to use, I know that unemployment and the fear of hunger, of helplessness and hopelessness, at this point in time are more central to the lives of the blacks.

The oppressive apartheid laws have, for years, been of great concern to many South Africans businessmen, professionals, most of

its citizenry. They see the crippling, stifling ill-effects the myriad injustices to blacks cause industry. It hampers South Africa's progress. It also is a terrible drain on their economy.

South Africans welcome the presence of foreign and American investors with their Rev. Leon Sullivan human dignity guidelines. They are concerned with the demoralizing guilt apartheid causes the whites, the escalation of drug and alcohol abuse. They are affected by the brain drain by their sons and daughters leaving their beautiful country because of apartheid. Many don't enjoy being regarded the world's pariahs.

During the past years there have been moves toward changes in the apartheid laws. Too slow for many, too fast for others. For me, the most significant, the abolition of the Mixed Marriages act and Ted Koppel's Nightline broadcasts in South Africa. Watching extreme right and left debate apartheid issues on the same screen was an historic breakthrough.

Another reason for writing is my need to tell American protesters their voices have been heard in South Africa, that they now should retrench and permit the South African government to effect further changes without outside pressures. My fear is that the pressures of American idealogues, sans facts of present conditions, will cause irreparable damage to South Africa's blacks and whites. That in their zeal for changes they will destroy the country for blacks and whites. And once Humpty Dumpty is destroyed who will put him back together again? Who is putting Zambia and Zimbabwe back together again?

The blacks with whom I spoke, those who have jobs and homes, don't want unrest. They abhor the humiliating apartheid laws but prefer life in South Africa to that in neighbouring countries. They share the fear of the whites when they read and hear American students and other scream 'Divest Now!' Because divestiture to South Africans means no jobs for thousands. It means poverty and hunger and death. I am convinced that much of the stimulus for the recent uprisings in the Cape Province and due to fear of hunger and their survival needs.

Senator Kennedy helped no one with his recent visit. He antagonized whites and blacks. The blacks felt he disrupted things without effecting changes for the better and the whites objected to his anti-government stance. The general feelings were that his interests were more the American voter than helping to create building blocks for change. As a Democrat, who always respected Senator Kennedy, I was upset with the negative remarks people made to me about his visit.

I feel the underlying problem with apartheid is fear, fear for the stranger in their midst, the black person and his numbers. Today there are approximately 22 million blacks (not counting Indians and Cape Coloureds). The projection for the year 2000 is for 80 million. This is an emotional problem. Intellectual debates and present remedies do not work. One man, one vote, will mean an end to South Africa the way we know it. The questions that enter my head was: Will her strategically important ports, her wealth of mineral deposits and other assets be available to America in the future? South Africans looked up to America, enjoyed free trade with our country. Will this be able to continue? Will the cries and screams from American campuses effect meaningful changes without destroying what is? Many personal fears flood the mind. It is so easy to destroy, so very difficult to rebuild.

When the governments in Zambia and Zimbabwe changed to all black, the perse-

cution of blacks intensified. Why are there no outcries against that? And when the white residents of those areas left homes and wealth they were welcomed into South Africa. Where will the South Africans be welcomed when they have to run!

The South African apartheid situation needs the help of a Solomon, the situation is so complex. I suggest that the college brains stop protesting and think along lines of help with progressive, constructive ideas so that with their aid a solution can be found.

Sincerely,

DOROTHY ROTH. ●

Mr. WOLPE. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Pennsylvania [Mr. GRAY], the chief sponsor of this legislation.

Mr. GRAY of Pennsylvania. I thank the gentleman for yielding this time to me.

Mr. Speaker and colleagues, today we have an opportunity to determine where this great Nation that we all love stands, for the issue before us is not an issue of jobs, it is not an issue of employment. What the issue is about is the loss of life, the loss of justice.

I am always amazed at those who would defend apartheid by changing the argument and trying to say what we are really concerned about is jobs. What we are really concerned about is employment, and the reason why we cannot bring any pressure to bear on apartheid is because it will create a jobless situation.

I can only quote what the distinguished Nobel Peace Prize winner, Desmond Tutu, recently said in a Newsweek magazine article when asked that very same question. He said, "Moral humbug."

Let me just simply say this. What is it that we are seeking to do in the Anti-Apartheid Act of 1985? What the Act seeks to do is to cut off future financing by U.S. companies and individuals for apartheid. It simply says that in the future we will not invest our dollars in South Africa, we will not allow new companies to locate there, we will not allow new investments, we will not allow bank loans by U.S. banks to the South African Government, we will not allow the sale of Kruggerands in this country which produce over \$200 million in foreign exchange for the South African Government, and we are not going to allow high-tech computers to be sold to that country so that they can be utilized for the influx control.

That is exactly what the Anti-Apartheid Act says. It says let us change our policy and stop the financing of apartheid. Indeed, there are many South Africans who agree with that. Mention has been made on this floor about Chief Buthelezi. Chief Buthelezi, who I know personally and I have met, and if I were the leader of a tribal segment of the population of 6 million people, I certainly would be supportive of not having any pressure because I do not want enfranchisement, because if I am a tribal leader, I can maintain my control.

However, let us look at all of the others who have spoken out. Let us speak to Desmond Tutu, the Nobel Peace Prize winner. Let us look at Manos Buthelezi, the bishop of the Lutheran Church, who is also the cousin of Chief Buthelezi. All of the leadership there have cried out to America and said, "America, why do you not stop financing apartheid?" They have said, "We are suffering, and we are willing to endure if we know that this great nation stands with us and that this great nation is willing to withdraw its financing of apartheid."

I submit to you that this legislation would not threaten one job in South Africa.

Second, I should point out to you the argument that this legislation would cause divestment is absolutely wrong and it is absurd and ludicrous. First of all, that is like arguing you cannot end slavery because you will have an unemployment problem. Second, factually, it is incorrect because there are 6 million people in the work force in South Africa. American subsidiaries employ 125,000 of the 6 million, and of the 125,000, only some 70,000 are the majority South Africans, and not one iota of this legislation would cause any of the 125,000 or the some 70,000 from the majority to lose their jobs.

Thus, what you have is a tortured argument that says for the benefit of 125,000 people, let us continue to finance the oppressive political regime of apartheid. Forget the over 5 million other people who are in the work force who have no freedom, no rights. Forget the 20 million South Africans who cannot own land, who have to live in designated areas, who must carry pass cards to show, who cannot be out at night without police permission. Forget them.

All for what? For 77,000 jobs which, by the way, this legislation does not affect or endanger in any way at all?

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. GRAY] has expired.

Mr. WOLPE. Mr. Chairman, I yield 2 additional minutes to the gentleman from Pennsylvania.

Mr. GRAY of Pennsylvania. I thank the gentleman for yielding this additional time to me.

So to argue that this legislation threatens that majority is absolutely wrong and it should be pointed out that it is wrong.

Second, there are those who will argue that if you take these modest restrictions, you are singling out South Africa. Not so. We currently have restrictions on over 19 nations in the world, and is it not about time that the world's greatest democracy of freedom not only light a candle for those in Poland, and rightfully so, but is it not time we strike a match for those in South Africa?

If we can speak out, and I certainly have joined with my colleagues on all

sides of the aisle speaking out for Sharansky and Sakharov, why can we not speak out for Nelson and Winnie Mandela? No. We already have restrictions like this around the world, and then they will argue, "Well, you know, these kinds of measures never change anything."

Did we think that sanctions were going to change Poland? No. But we wanted to let the world know where America stood, and that we did not stand with the oppressor, but we stood with the victims. Of course, this is becoming a normal confusion around Washington these days, where people do not know who to stand with, whether to stand with the victims or whether to stand with the oppressors.

□ 1620

I submit that this Congress ought to go on record by standing with the victims and not with the oppressors. I find it interesting that those who are arguing for us to stand with South Africa are asking us to stand with the oppressors. I think we ought to stand with Desmond Tutu. I think we ought to stand with Manos Buthelezi. I think we ought to stand with those who are protesting their condition while we have sat around and allowed U.S. funds to continue the oppression.

Mr. Chairman, what is the issue? It is not the loss of jobs; it is the loss of life, over 500 in the last 6 months.

Mr. WOLPE. Mr. Chairman, I yield 5 minutes to our distinguished colleague, the gentleman from New York [Mr. SOLARZ].

Mr. SOLARZ. Mr. Chairman, I would like to pay tribute to the distinguished gentleman from Michigan [Mr. WOLPE] and my very good friend, the gentleman from Pennsylvania [Mr. GRAY], for the leadership they have provided on this issue. Without their extraordinarily creative efforts, we would not be debating this legislation today.

The issue before us this afternoon requires a judgment not so much on the system and the situation in South Africa but on what we should be doing about it. Virtually all of us on both sides of the aisle appear to agree that the apartheid system is a moral and political abomination. Where we appear to disagree is over how the United States can most effectively use its influence to facilitate as soon as possible the elimination of this system of institutionalized segregation.

Those who are opposed to the Anti-Apartheid Act of 1985 appear to believe, as does the administration, that the best way for the United States to proceed is to continue the policy of constructive engagement. This was a policy adopted 5 years ago, and it was based on the premise that, by establishing a closer and more cooperative relationship with the Government of South Africa, we would be able to use our ensuing influence to encourage that Government to make real



progress toward the elimination of apartheid. Five years later, I would submit that the policy of constructive engagement is a flop and a failure. It constitutes a monument to moral myopia and wishful thinking. It has done virtually nothing to bring about any real progress toward the elimination of apartheid, but it has created the impression that the United States is in sympathy with the racist regime in that country.

Now, some have said that significant changes have taken place in South Africa. They point to the impending elimination of the Mixed Marriages Act, and they point to the establishment of a new constitution and the creation of separate parliaments for the colored and Asian peoples of that country. But I would submit that the real measure of what has happened in South Africa is not these cosmetic changes, which leave utterly undisturbed the continued exclusion of the black majority of that country from any opportunity whatsoever to participate in the determination of their own destiny, but the remaining realities which continue to characterize the plight of the black majority in South Africa.

The failure of constructive engagement can be measured by the fact that in the last year alone 350 blacks have been killed by the security forces in that country; over 250,000 have been arrested for violation of the pass laws; and a quarter of all of the black women remain separated from their families.

It can be measured by the fact that the Government of South Africa continues to refuse to engage in any meaningful negotiations with the black majority to establish a new political dispensation in the country. It can be measured by the continued illegal occupation by the Government of South Africa of Namibia. And it can be measured by the growing enmity toward our policy with respect to South Africa throughout black Africa and on the part of the indigenous black majority within South Africa.

I would submit that the time has come for a new policy. The time has come for us to make clear our opposition to apartheid in deed as well as in word. The time has come for us to adopt the Anti-Apartheid Act of 1985.

Some will say that the best way to bring about change in South Africa is to encourage more U.S. investment in that country, but the fact of the matter is that 37 years after the establishment of apartheid in South Africa there has been enormous economic progress in that country, but from a political point of view the blacks are worse off today than they were three decades ago.

Others will say that the adoption of this legislation is an exercise in diplomatic hypocrisy, that as bad as the situation in South Africa may be, it is just as bad in other countries around the world, and why are we not taking

action against them? But the fact is that we have imposed sanctions against Cuba, Vietnam, Poland, the Soviet Union, and even non-Communist countries like Libya, Iran, and Uganda, and I would submit that if we adopted sanctions against all those countries, it would be an exercise in diplomatic hypocrisy for us not to impose sanctions against South Africa.

The CHAIRMAN. The time of the gentleman from New York [Mr. SOLARZ] has expired.

Mr. WOLPE. Mr. Chairman, I yield 30 additional seconds to the gentleman from New York [Mr. SOLARZ].

Mr. SOLARZ. Mr. Chairman, the Assistant Secretary of State for South Africa, Mr. Chester Crocker, said that it was not up to the United States to choose between black and white in South Africa. The choice that confronts us there is not between black and white. There are, after all, many whites in South Africa who are opposed to apartheid. The choice that confronts us in South Africa is a choice between right and wrong, between justice and injustice, between decency and indecency. The time has come for the United States to be on the side of change rather than on the side of the status quo in South Africa.

Mr. FASCELL. Mr. Chairman, will the gentleman yield?

Mr. SOLARZ. I yield to the distinguished chairman of the Foreign Affairs Committee.

Mr. FASCELL. Mr. Chairman, I thoroughly agree with the gentleman's very cogent and very persuasive statement, as usual. I want to compliment him on his leadership in this matter because he, together with the gentleman from Pennsylvania [Mr. GRAY] and the gentleman from Michigan [Mr. WOLPE], who is managing this bill, has given immense leadership to this proposition. I agree with the gentleman that the time has come when we must put aside economic and political considerations and do something and face up to this problem.

The CHAIRMAN. The time of the gentleman from New York [Mr. SOLARZ] has expired.

Mr. WOLPE. Mr. Chairman, I now yield 5 minutes to the distinguished gentleman from Washington [Mr. BONKER].

(Mr. BONKER asked and was given permission to revise and extend his remarks.)

Mr. BONKER. Mr. Chairman, I rise in strong support of this legislation, and I would like to take this opportunity to commend the chief sponsor, the gentleman from Pennsylvania [Mr. GRAY], and the chairman of the Subcommittee on African Affairs, the gentleman from Michigan [Mr. WOLPE], as well as the gentleman from New York [Mr. SOLARZ], who has long been distinguished for his work on this issue.

I chair one of the subcommittees that has jurisdiction. We have conducted a series of hearings over the

years in attempting to develop a proper legislative approach to this controversial, if not volatile, issue.

I would also note that 2 years ago, when this House took up and considered and favorably voted on the Export Administration Act, we added title III. Title III included essentially the same provisions which are before us today, including the Gray amendment, which was offered on the House floor and actually was accepted without too much resistance.

The legislation that is before us today is essentially that package, minus the Sullivan principles—and I understand that the sponsors intend to pursue separate legislation later on—and plus new restrictions on the sale of computer equipment to the Government of South Africa and her entities.

I frankly believe that the legislation that we have before us today is actually weaker than the legislation this House already adopted 2 years ago as an amendment in the form of title III to the Export Administration Act. In my judgment, that was stronger because it did include provisions on the so-called Sullivan principles. At that time there was very little resistance to these provisions. There seemed to be almost universal acceptance that the time had come to send a message to South Africa, and we had a reasonable approach to the issue by way of title III.

Now essentially the same provisions are back here on the floor in a new bill, and all of a sudden there is plenty of resistance. I would suggest, if anything, that there ought to be a demand for stronger legislation, given the public outcry we have been hearing throughout this country. Given the provisions I have discussed, I still have some reservations about key sections of the bill.

□ 1630

They involve, first of all, a noticeable absence of Sullivan principles. I personally believe that as long as U.S. businesses are in South Africa, they ought to exemplify America's values and standards and indeed our fair labor practices, so that we can set up a model in South Africa for other businesses there.

Second, I have never been a strong supporter of the ban on importation of krugerrand gold coins. This is something of a symbolic issue. It will do some damage to many of the mom-and-pop collectors in the United States, but I am not sure it will do overwhelming damage to South Africa or her policies. There is such a sophisticated international network on gold coins that I do not think there is any way we can inhibit or ban the flow of it.

The third concern that I have has to do with the total ban on all computer sales to the South African Government entity, including service agree-

ments. This provision would amend section 6 of the Export Administration Act to prohibit the export of all computers and related services and equipment to any South African Government entity, including the termination of existing sales, services and maintenance contracts on such items also raises a serious problem.

I share the concern of the sponsors and the objective about blocking the sale of American chip computers and equipment so that that equipment will not be used as instruments to enforce apartheid; but the scope of this provision is far broader.

Section 7 of H.R. 1460 goes way beyond prohibiting the use of U.S. computers in enforcing apartheid.

Under this section, U.S. computers would be banned to all government entities regardless whether they are for use in schools, hospitals, transportation systems, and utility companies.

Although the committee report states that the ban will cut off new U.S. computer exports to the South African military and policy and other government organizations that enforce apartheid, there are no exceptions for end users which do not directly enforce apartheid.

Furthermore, it should be pointed out that the current law prohibits exports of such computers subject to the commodity control list to the South African police and military.

Similarly, it is U.S. regulatory policy not to approve export license applications to a variety of South African Government entities where the computer could be used to enforce the policies of apartheid.

Let me make myself clear.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. WOLPE. Mr. Chairman, I yield 1 additional minute to the gentleman.

Mr. BONKER. Mr. Chairman, I thank the gentleman.

My point is this. If we want to ban the sale of computer equipment to the Government of South Africa because of an obvious concern that it might be used to enforce apartheid, I have no problem with that; but if we are going to put into the statute a provision that breaks or terminates all existing service contracts, maintenance agreements and efforts to sell software, then we put our companies in a position of contract violations and subject them to liability.

I do not think that ought to be the intent of the legislation. We want to send a message and be effective in dealing with South Africa, not place additional burdens on American businesses who happen to be located there.

Mr. SILJANDER. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana [Mr. BURTON].

Mr. BURTON of Indiana. Mr. Chairman, I think everyone in this body is opposed to racial discrimination and apartheid in particular. One of the things that I cannot understand, how-

ever, is why we pay so much attention to the persecution and the discrimination and the human rights violations that take place in South Africa, while we close our eyes to the same things that are happening in neighboring countries in that part of the world.

For instance, in Angola, Malawi, and Mozambique, we see repression, prejudice, and human rights violations that are every bit as bad as that which go on in South Africa; yet we do not say a word about them. I do not understand that.

South Africa has a lot of problems and we should bring pressure upon them to change, but let us look at the past. In World War II and other conflicts they have been an ally and have helped us by fighting the fascists and other enemies of the free world. Yet we point all of our guns at them and we do not pay any attention to the Communist regimes in the southern part of Africa who are repressing their people and I wonder why.

Why do we not talk about Angola, where persecution exists on a daily basis?

Why do we not talk about Malawi? Why do we not talk about Mozambique?

It strikes me as curious that we pay attention to our friends and their mistakes, their shortcomings, and we do not point a finger of guilt at those who have a worldwide objective in mind, that being the Communist movement.

David Lamb, the former Los Angeles Times Africa correspondent, noted that "whites' injustice toward blacks is considered racist. The blacks' mistreatment of blacks is just part of national growing pains and is somehow acceptable to both Africa and the world beyond."

He does not understand that and neither do I.

A Kenyan journalist once commented that what Africans are doing to Africans is unbelievable.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. SILJANDER. Mr. Chairman, I yield 30 additional seconds to the gentleman.

Mr. BURTON of Indiana. I spent a little bit of time in South Africa. I believe the white population as well as the black population over there is very concerned about what is going on. The pressure is gleaming results, in my view.

I think that we should continue with the process of constructive engagement that the President of the United States is advocating, trying to bring about positive change in an orderly way. If we try to do it in the way we are talking about today, we will drive a friend away from us and end up rueing the day that we passed this legislation. Apartheid in South Africa is bad and should be changed, but this is not the way to bring about that change.

Mr. SILJANDER. Mr. Chairman, I yield myself the remainder of the time.

I thought it rather interesting that my colleague, the gentleman from New York, took the well shortly after several statements that I had made, to set up a strawman. Some of us, he said, were standing for the oppressors and not the victims. He said that some of us believe, as the administration, that continuing constructive engagement is good. He said that some would suggest that significant changes have been made in South Africa.

Well, I am not sure who in the world the gentleman from New York was referring to or who he was talking about. No one thus far in this debate has said that any significant changes have been made in South Africa.

Someone had alluded to the fact that some thinking within the South African Government has changed, but nothing substantively has changed. I tried to make that abundantly clear.

The administration does not support any of these substitutes, as I understand, because they are not part of the continuing constructive engagement policy.

I doubt that anyone in this body is standing against the victims and for the oppressors.

So I am not sure what strawman was built and knocked over, but it certainly is not anyone on this floor.

Mr. WOLPE. Mr. Chairman, I yield 1 minute to the gentleman from Missouri [Mr. GEPHARDT].

(Mr. GEPHARDT asked and was given permission to revise and extend his remarks.)

Mr. GEPHARDT. Mr. Chairman, today, when we vote on H.R. 1460, we have an opportunity to redeem the fundamental principles of our Nation, and advance the cause of human freedom around the world.

History will judge us harshly—and we will deserve its stern verdict—if we fail to act to remove the blight of apartheid from South Africa. We, as a nation, may not be able to make perfect all the imperfections in the world. Still, we know that when one person's liberties are denied—whether in South Africa or anywhere else in the world—all our freedoms are thereby diminished.

Reagan's "constructive engagement" policy is a sham. It offers the false promise of freedom and equality to blacks who suffer discrimination and oppression, while it aligns us with a government that countenances such inhumane treatment.

Indeed, South Africa retains its pass laws, the bans on speech, assembly, political participation and travel, and its denial of due process.

If anything, internal repression has increased. Pass law arrests have doubled since 1980. By 1986, over 9,000,000 blacks will have been forced into the crowded, impoverished "homelands."



The present violence and repression continue unabated. Over 400 people—most of them blacks protesting continued repression—have died since September. Just 2 weeks ago, an official of one of the most determinedly nonpolitical black unions was beaten to death in police custody.

Our proclamations against apartheid sound insincere. Lured by profits 35 per higher than those available elsewhere, U.S. corporations have increased direct investments in South Africa from \$140 million in 1950 to \$2.6 billion in 1981. We are South Africa's second largest source of foreign investment. Our economic ties are perceived—rightly—to strengthen the South African Government.

Today's vote is a test. We need to show we won't let a few investment opportunities override important principles. It's not just a moral issue—it's smart policy. If we fail to take clear action, our adversaries won't let anyone forget it.

Opponents fear hundreds of thousands of lost jobs. This is surely exaggerated. American firms hire about 120,000 people there and will be allowed to reinvest their earnings. Employment is stable at Swedish firms facing even stricter sanctions.

The 300 American firms—particularly the half who adhere to the Sullivan principles—have done some good. But a policy that helps the oppressed is unsupportable if it helps the oppressor more. The plain fact is that U.S. investment helps enable South Africa to maintain its instruments of repression.

H.R. 1460 sends—without delay—a clear message to all that America's economic strength will no longer go to support apartheid.

H.R. 1460 simultaneously preserves our vital interests. It does not require divestiture. Nor does it affect most trade. We preserve our access to minerals and remain the option of further action against South Africa.

This bill will not end apartheid. That is up to the South Africans. But it signals our strong disapproval. It is an effective statement that we can no longer afford the political and economic damage resulting from close relationships with the South African regime.

Mr. WOLPE. Mr. Chairman, I yield 1 minute to the distinguished gentleman from Connecticut [Mrs. KENNELLY].

Mrs. KENNELLY. Mr. Chairman, I rise in support of H.R. 1460, the Anti-Apartheid Act. I can think of no better way to demonstrate this Nation's opposition to the apartheid policies of the South African Government than to pass this bill.

In South Africa, if you're white, you live in a democracy. If you're black, you live in a police state.

If you're white, your salary averages around \$500 a month. If you're black, it is less than \$150.

If you're white, your country's infant mortality rate is 15 in 1,000. If you're black, it's one in five.

In South Africa, if you're white, you reap the benefits of American investment. If you're black, you can be jailed or even executed for advocating American disinvestment.

Today, we must speak for those who cannot speak for themselves. Our Nation must begin to withdraw from the South African economy.

Some say that if this Nation does not expand its trade with South Africa, another nation will. That is like saying that if we do not support racism, someone else will. Let those nations who want to support racism do so. This Nation will not.

Mr. Chairman, this Nation has always stood first and foremost for human freedom. That is why we stand apart from the South African Government. Today, let us increase that distance. Our history and our conscience should impel us to do so. I urge my colleagues to support H.R. 1460.

□ 1460

Mr. WOLPE. Mr. Chairman, I yield 1 minute to my distinguished colleague, the gentleman from Ohio [Mr. GRADISON].

(Mr. GRADISON asked and was given permission to revise and extend his remarks.)

Mr. GRADISON. Mr. Chairman, I rise, as an original cosponsor, in support of H.R. 1460. The issue of South Africa is an extremely complex one for American foreign policy. South Africa is strategically important to the United States and our allies. At the same time, the South African system of apartheid has generated understandable revulsion in the West. The recent protests in this country are testimony to the concern men and women of conscience have regarding this issue.

The violation of human dignity that occurs daily in South Africa is supported by an overt, pervasive, and systematic dismissal of fundamental human rights. The debate here, Mr. Chairman, centers on the construction of a policy which will most likely encourage change in South Africa that will be to the benefit of all South Africans and in the long-range interests of the United States.

The approach taken in the bill is to impose certain economic sanctions on South Africa. Specifically, these are a ban on new investments, the importation of krugerrands, and the export to South Africa of computer technology, as well as restrictions on new bank loans to South Africa. It must be stressed that this is not a divestment bill. The roughly 350 American companies currently active in South Africa, with direct holdings of \$2.3 billion, are permitted to reinvest profits generated through their South African enterprises.

In advocating the passage by this House of the Anti-Apartheid Act of

1985, I am not encouraging the United States to walk away from the problem of South Africa, as some of my colleagues have argued. Neither is this a denigration of the Sullivan principles and the progress made in racial equality within the workplace by American companies adhering to these principles. Indeed, the ability to reinvest profits in South Africa will permit these companies to continue to play the positive role for change that they have in the past. Rather, this bill is a response to the lack of meaningful progress, outside those few selected workplaces, where discrimination is woven into the fabric of society.

It is true that certain changes in petty apartheid regulations have occurred. Certain reforms have also been implemented by the Botha government. Black trade unions have gained official recognition and some of the most insidious provisions of the Mixed Marriages and Immorality Acts have been amended. While these reforms begin to attack the surface of apartheid, the strengthening of restrictions on access to white areas for black South Africans, the lack of a Namibian settlement, and the continued pursuit of the homelands policy by Pretoria cannot be ignored.

The South African Government has acknowledged that tangible pressure from abroad plays a role in its promises of further reform. The enactment of this legislation alone will not bring about fundamental change overnight to a system that since 1948 has codified injustice in the regulation of political and economic rights and the social relationship between individuals. It will, however, provide an incentive for South Africa to modify gradually, and eventually change, its social and political system in a way beneficial for all communities in South Africa.

Pressure for change is building within South Africa. Recent outbreaks of violence indicate that patience with the slow pace of reform is eroding at a rate that makes the undesirable outcome of revolutionary violence more likely. It should be the policy of the United States to encourage Pretoria actively to do what should be obvious to avert this outcome. It is my belief that the economic restrictions provided for in this bill are a more significant lever for American foreign policy than if we merely continue to invest in a regime that we all agree is morally indefensible.

Mr. WOLPE. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois [Mr. HAYES].

(Mr. HAYES asked and was given permission to revise and extend his remarks.)

Mr. HAYES. Mr. Chairman, recent events in South Africa and in the White House have once again illustrated why we in Congress must take the initiative in ending our country's cozy

relationship with the immoral apartheid regime of South Africa.

By ignoring the plight of over 24 million black freedom fighters in South Africa and calling for sanctions against Nicaragua—after Mr. Ortega goes to the Soviet Union for aid—the President has stooped to a new low in insulting the intelligence of the American people.

By turning his back on repeated acts of violent repression which have claimed the lives of over 350 and the arrest of over 10,000 black South African men, women, and children during the last year, the President is aiding the South African Government in denying the majority of its people basic fundamental human rights which Americans hold so valuable in our society today.

Mr. Chairman, we in the Congress have the responsibility to act. The President has shown time and time again that he lacks the moral sensitivity to respond to the racist tactics of the South African Government.

Because this administration has continued to allow U.S. based corporations to eliminate hundreds of thousands of jobs for American workers in order to exploit the low pay and poor working conditions for Black South Africans, we have a responsibility to act to protect the interest of our constituents.

Because the President continues to ignore rising tensions in southern Africa, we in Congress must act in order to avert bloodshed of major proportions in that part of the world.

I have often urged this great assembly to take the lead in ending our Nation's support for the apartheid regime, and I have been encouraged by the increasingly positive response my calls have received from Members of both political parties. I am now once again urging my colleagues to join in a bipartisan effort to restore America's tarnished image in the world, and to show that the majority of the American people still stand for the ideals which have made our Nation great.

H.R. 1460, the Anti-Apartheid Act of 1985, is a step in that direction. It sends a clear signal to the South African Government that the United States will no longer tolerate its offensive and repressive system of Government.

H.R. 1460 is a very important piece of legislation. I strongly urge my colleagues to support its swift passage.

● Mrs. LLOYD. Mr. Chairman, I join with both my colleagues and also with Black South Africans in urging support of sanctions against South Africa. Recent outbreaks of violence have forced us to reexamine our responsibility in peacefully abolishing acts of apartheid. I view economic sanctions as an unfortunate measure. At this time, however, they provide the United States with the only tangible means of pressuring the South African Government to dismantle its current system of severe segregation.

As a cosponsor of H.R. 1460, I support its four measures which would ban new bank loans; ban any new investment in South Africa; ban the importation of South African krugers; and finally ban the sale of computers to the South African Government. The bill also allows a means for the South African Government to avoid restrictions. A means which I feel quite reasonable. Should any one of the following conditions be adhered to, we could view the South African Government as actively acknowledging their acts of inhumanity and willing to take steps toward nonviolent change.

Again, if the South African Government meets one of the following conditions, the President, with congressional approval, could waive for a limited time the prohibitions involving new investments and gold coins. The definite steps include freeing all political prisoners; giving full citizenship to the more than 8 million blacks now considered citizens of tribal homelands; eliminating all restrictions on where South African residents can live; ending the policy of forcibly moving blacks from areas designated for whites; letting blacks seek work without restrictions and live near their jobs in any part of South Africa; allowing black workers' families to live near workers' jobs; beginning negotiations with black leaders for a representative political system; agreeing to an internationally recognized settlement for Namibia, which South Africa occupies in violation of U.N. resolutions.

The companies operating in South Africa have maintained that they are providing jobs which are benefiting blacks. Many of these companies comply with the Sullivan principles in assuring equal working conditions for blacks. We recognize and commend the efforts of these companies in so much as they have made the first step at improving the lives of black workers. Yet, we must take this a step further in working toward assuring that an equally reasonable effort be made to meet the human conditions. Surely we cannot justify decent employment conditions in lieu of the poorest of living provisions. Quite simply, no choice should have to be made. These people should be allowed to choose both where they work and live.

Support of this bill would recognize the very basic of human needs while still allowing that certain sanctions could be avoided if the South African Government did nothing more than allow blacks to seek work without restriction. This seems to me not an unreasonable request and certainly one in line with our democratic philosophies.

● Mrs. SCHROEDER. Mr. Chairman, one can debate apartheid all day and all night, yet the elementary facts will never change:

It is illegal here; we should not support it abroad.

Yet the South African Government representing 4 million whites uses taxes paid by U.S. companies to ensure a repressed work force of 26 million blacks.

Five of every six South Africans are black. Yet they cannot live or work where they choose; they risk jail if they strike for better wages or justice on the job; and they have no vote—they have no say in the government that imposes apartheid on them.

Passbooks: Blacks must carry passbooks wherever they go—a record of their fingerprints, work record, tax and family status, tribe and race, and where they can legally live and work.

Families: Apartheid laws prevent husbands and wives from living together in "white" cities.

Women: Black women face double discrimination because of their sex and race. Those who can find work as maids feed white children while their own go hungry in the barren "homelands."

Education: Less than half of black adults can read and write. Whites get free schooling. Blacks don't. The state spends 11 times more on a white child's education than on a black child's education.

Hunger: One of every five rural black babies dies before his or her first birthday—often from lack of food—while South Africa exports \$2 billion worth of food a year.

Wages: On the average, Africans earn less than a third what white workers do.

Health: In December, a black American dancer performing in South Africa was in an auto accident. He is now a quadriplegic because the first ambulance refused to pick him up and he was denied admission at the white hospital to which a black passerby took him. By the time he was admitted to the black section of another hospital, he was quadriplegic.

A friend once told me that although she had been active in the civil rights movement in the United States since the sixties and continues to fight racism in the United States, she had never experienced anything like the apartheid attitudes she witnesses in South Africa. There is no comparison, she said.

● Mr. ALEXANDER. Mr. Chairman, I rise in support of passage of H.R. 1460, the Anti-Apartheid Act of 1985. Enactment of this legislation would make clear to the community of nations that the commitment of the people of the United States to the principle of freedom, liberty, and equal opportunity for all human kind wherever they live is a commitment, in deed as well as word.

The people of our Nation have demonstrated their willingness to work patiently toward the goal of social and economic justice. We have done so in the instance of encouraging the nation of South Africa to dismantle its destructive system of racial discrimination.



tion, apartheid. We support nonviolent change achieved in an orderly and progressive manner. But, there comes a time when we are forced to the recognition that there must be alteration in the methods we use to express our support for such change, and an acceleration toward equal economic, social, and legal justice for all men, women, and children.

And, there comes a time when we are forced to the recognition that an unchanging continuation of our economic relationships with a nation which systematically denies to a majority of its citizens the rights, freedoms, and privileges extended to a minority of its citizens—as is the case in South Africa—can only be interpreted as a betrayal of the principles by which we, as a nation, govern ourselves.

We have reached that time in our relationship with South Africa. The time has come for more decisive action. The time has come for stronger action. The Anti-Apartheid Act of 1985 embodies such change in the relations between the United States and South Africa. These are the reasons I have cosponsored this proposal. These are the reasons I now rise to urge my colleagues to support the basic principles by which our Nation governs itself and vote for passage of H.R. 1460.●

● Mr. RANGEL. Mr. Chairman, I rise in full support of this absolutely vital bill.

I am extremely concerned, as are all of you who are present here today, about the Reagan administration's policy of constructive engagement, of giving South Africa what they want because we think that somehow this will pry concessions from them, concessions that jibe with our constitutional traditions.

Well, we have gotten no concessions from South Africa. On the contrary, apartheid's hold has been strengthened on the nation, and allowed South African security forces to kill and maim nonwhite demonstrators with impunity.

What goes on in South Africa is anathema to all that we in the United States hold dear. The policy of apartheid mocks democracy, mocks fundamental rights, mocks human dignity.

A South African—if he happens to be black—cannot marry who he wants to marry. He cannot worship where he wants to worship. He cannot say aloud what he wishes to say. He cannot even meet in private with those with whom he wants to meet. And he cannot vote at all.

The Republic of South Africa issues travel passes to blacks. It segregates blacks into inferior schools. And it forces blacks to work in serflike conditions in mines and services.

These are the most fundamental human rights, rights for which our own country has fought on the battlefield and in its legislatures. We have held these ideals for more than 20

years and should not tolerate their abrogation by any country. South Africa's system is repugnant to everything that this country holds dear.

And so we might ask what can be done to convince South Africa that we will not tolerate business as usual. We might ask how we can reconcile our revolutionary principles in our relationship with South Africa. And we might ask in what way we can encourage a peaceful move toward democracy in that country.

Well, our strongest tool is economic pressure. It can be wielded effectively by ending our relationship in areas of trade and investment. This is why I support the Anti-Apartheid Act. It is our strongest response yet to Pretoria's intransigence.

Arguments have been raised that our hitting at the South African economy will somehow harm black workers in the mines and other areas of production. Well, I ask those who use this argument where their priorities lie. Black protesters are slaughtered in the streets, black children are malnourished and undereducated, and black workers are already dying because of poor safety conditions. This is a classic case of sheer oppression, Mr. Chairman, and conditions will not be made better just because we ask South Africa to relent.

For these reasons, I encourage my colleagues to vote in favor of this act.●

● Mr. LONG. Mr. Chairman, I rise today in strong support of the Anti-Apartheid Act of 1985.

The time has come for the United States to at last say to the Government of South Africa that Americans will no longer tolerate the blatant suppression of the overwhelming majority of its people. The time is long overdue for the United States to join other nations of the world in imposing economic sanctions against the Government of South Africa as tangible evidence of the depth of our conviction that apartheid is absolutely unacceptable.

How can we, as Americans, who pride ourselves on our commitment to civil rights, continue to directly or indirectly support a government which denies the most basic of human rights to the largest racial group in its country? I believe we cannot. That is why I am proud to speak in favor of the legislation before the House today. H.R. 1460 will impose four economic sanctions on South Africa, but also provides waivers of these sanctions contingent upon the government meeting conditions which demonstrate its concrete dismantling of apartheid.

Opponents of economic sanctions argue that the United States can best bring about change in South Africa through quiet diplomacy or "constructive engagement." Yet after 4 years under this approach, the South African Parliament still excludes blacks, and by 1986 more than 9 million blacks will lose their citizenship. Doesn't it make more sense to adopt legislation with teeth, so as to provide

a real incentive for the government to institute meaningful reforms?

Mr. Chairman, no one wants to see desperately needed change brought about by violence. But history repeatedly has shown us that a suppressed people cannot be held down forever. Change will come in South Africa, and I believe we should be among those encouraging peaceful and democratic reforms.●

● Mr. BOLAND. Mr. Chairman, I strongly support H.R. 1460, the Anti-Apartheid Act, and urge its adoption by the House.

I think there is no question among Members of Congress that the current human rights situation in South Africa, as embodied in the doctrine of apartheid, is deplorable. The question before us, therefore, is not whether or not to take action, but rather what action to take. It is by no means a simple decision. The administration policy of constructive engagement has been proven ineffective in light of the continued presence of strict apartheid laws. Furthermore, as the United States continues to do business as usual with the Government of South Africa, blacks in that country will increasingly see the United States as permanently allied with the white minority government.

H.R. 1460 applies direct pressure to the economic basis for apartheid, and it is for this reason that I urge its adoption. H.R. 1460 represents a serious response to a serious problem and will undoubtedly have an effect on the Government of South Africa. I need only point to the words of a former Prime Minister, John Voerster, who was quoted on numerous occasions as saying: "Foreign investment is the bricks and mortar on which South Africa is built." Clearly, working for improvement within the system is not a viable option for South African blacks. As that reality becomes more apparent to blacks, so does the risk of more violent confrontations between blacks and whites. The immediacy of the issue, therefore, is manifested not merely from a moral standpoint, but also from that of humanitarian concern for avoiding further violence, an objective which is in the interests of all parties involved.

Therefore we must more strongly encourage the Government of that country to negotiate with the black majority. Persuasion by purely diplomatic means has not achieved change, at least not in a manner visible to most Americans. It is time to try a new approach. The sanctions outlined in H.R. 1460 are a step in that direction because they are intended to focus the attention of the Government of South Africa on the need to be more receptive to the desire for equality by the black majority. That Government has responded positively to economic pressure in the past, and the incentives provided in this bill will, I hope, result in a similar response.

Mr. Chairman, H.R. 1460 is a most important piece of human rights legislation. I urge my colleagues not to pass up this opportunity to encourage real change in South Africa. It is essential that Congress demonstrate its revulsion with the practice of apartheid, and the strong desire of the people of the United States to see that practice ended. I believe H.R. 1460 can contribute to that result, and I urge its adoption.●

● Mr. AuCOIN. Mr. Chairman, I rise in strong support of H.R. 1460, the Anti-Apartheid Act of 1985, and commend Congressmen GRAY and WOLPE for their work in making this bill a reality.

I regret that this legislation is needed. However, it is clear that Congress must act to fill the void in U.S. policy toward South Africa. The administration's policy of constructive engagement—the use of quiet diplomacy to dismantle the apartheid system in South Africa—has been an abysmal failure. Quiet diplomacy has meant silence on the moral issues that so violently divide South Africa.

It is time for the United States to take a strong, clear stand against apartheid; a system of institutionalized racism that is morally repugnant to the values of every American.

Just what does apartheid mean? It means that 3½ million blacks and coloreds have been forced from their homes into a system of barren homelands in South Africa. It means that the South African police have wide latitude to search and detain blacks without having to show cause, and that public meetings of black opposition groups are outlawed. Apartheid means that the South African Government spends seven times as much to educate a white child as a black child, and that a black child has little chance to find a decent job once he finishes his schooling. It means that the infant mortality rate among black children is 14 times that of whites. Apartheid means that calls for peaceful change, such as divestment, are treasonous acts punishable by prison sentence.

Unfortunately, the United States has limited ability to change internal policies in South Africa. The South African Government does not receive U.S. aid. There are no military or other agreements that bind South Africa to the United States. But with the economic problems facing South Africa right now, economic sanctions have a chance of working some change. The legislation we consider today is one responsible step in this direction. By preventing new investment, but not disinvesting entirely, we leave ourselves more latitude in the future.

We obviously have much farther to go. U.S. firms in South Africa must go beyond the Sullivan fair employment principles and take an active role in working to change the apartheid structure.

The administration has got to stop talking about its hope for progress and start realistically working for change. As we continue to talk, blacks in South Africa continue to die—over 500 at the hands of the South African security forces in the past 6 months.

By passing this legislation, we show that the United States is not deaf to the cries for help and the demands for change by South Africans. I urge my colleagues to support this bill.●

● Mr. FASCELL. Mr. Chairman, I rise in support of H.R. 1460. I would like to commend the chairman of the Subcommittee on Africa [Mr. WOLPE] and the chief sponsors of the bill, particularly Mr. GRAY and Mr. SOLARZ, for the leadership and determination they have provided over the several years it has taken to shape this legislation. Nearly identical legislation passed the House during the 98th Congress. The need for this legislation was evident at that time, and the present need is even more evident.

The current U.S. policy of using only negotiations with the South African Government to bring about change in that country has not worked—in truth, the situation has deteriorated since this House voted in 1983 to impose limited economic sanctions upon South Africa.

Since that vote, the level of violence has soared, detentions without trial of blacks has increased, and suppression of those advocating peaceful change has risen.

The news media carries daily reports of continuing violent confrontation between blacks seeking political and humanitarian rights and the forces of the South African Government. I believe there can be no doubt that the cause of this violence lies in the system of apartheid, a system which maintains 23 million blacks, the overwhelming majority in South Africa, as outcasts in their own land.

Mr. Chairman, this legislation offers the House an opportunity to express its commitment to justice and equality throughout the world. Negotiations to end apartheid have not worked. It is time for this country to do more. Imposing the modest economic sanctions contained in H.R. 1460 will leave no doubt as to the position of our country on this great moral issue and will, I believe, assist in bringing equal rights to all the citizens of South Africa, black and white.

I urge all Members to vote in favor of this legislation.●

● Mr. COYNE. Mr. Chairman, I rise in strong support of the Anti-Apartheid Act of 1985.

The House should act swiftly and affirmatively on this measure in view of the failure of the administration's constructive engagement policy with the repressive Government of South Africa.

Let us consider the results of constructive engagement.

Since September of last year, more than 300 people have been killed. Most

of them lost their lives as a result of anti-apartheid protests in black townships.

At least 21 union leaders are now in preventive detention.

More than 1,100 were detained without charges under South Africa's security laws last year. This is more than at any time since 1976 to 1977, the period of the Soweto uprising.

Congress must respond. Failure to do so would be seen as silent consent to the South African Government's reprehensible policies.

The Anti-Apartheid Act of 1985 is an appropriate response in such circumstance. Through the application of selective economic sanctions, the measure reflects, in policy as well as words the opposition of the American people to apartheid.

First, it would ban loans to the South African Government. This makes it more difficult for the Government to finance its military budget, its trade deficit, and other budget needs.

Second, U.S. investment in new enterprises would be halted. Since 1982, there have been at least 11 U.S.-financed enterprise established in South Africa. This restriction would restrict that occurrence.

Third, the measure would halt the importation of South African krugger- and coins to the United States. This sanction would have an immediate effect since the United States accounts for half the market for these gold coins.

Fourth, the Anti-Apartheid Act of 1985 would end the sale of American computer, computer software, or goods and technology intended to service computers used by the South African Government. U.S.-controlled firms make up about 70 percent of the computer market in South Africa. Computers can be used by the Government and the police to enforce the repressive racial laws.

Mr. Chairman, 6 States, 24 cities, and 40 universities have moved to divest themselves of more than \$1.5 billion in South Africa-related holdings, included stocks and securities. I am pleased to report that the board of public education of the school district of Pittsburgh approved last month a divestment resolution on South African investments and contracts. The board noted that the South African Government was diametrically opposed to the principles of equal opportunity and equal treatment for all citizens, a view that I share.

The House now has an opportunity to vote on its own divestment resolution. I urge a yes vote on the Anti-Apartheid Act of 1985.

At this point, I would like to include in the RECORD a copy of the resolution approved by the Pittsburgh Board of Public Education.

[The material follows:]



**PITTSBURGH BOARD OF PUBLIC EDUCATION  
RESOLUTION OPPOSING APARTHEID**

Whereas the Board of Public Education of the School District of Pittsburgh, as the governing body of the second largest school district within the Commonwealth of Pennsylvania, is required by law to support, obey and defend the Constitution of the United States and the Constitution of Pennsylvania; and,

Whereas both of these constitutions provide, among other things, for equal opportunity and equal treatment for all persons covered by those constitutions; and,

Whereas the philosophy and practices of apartheid, as implemented by the respective governments of South Africa and Namibia (South West Africa) and their respective instrumentalities is diametrically opposed to the principles of equal opportunity for and equal treatment of the citizens of those countries; and,

Whereas the Board of School Directors condemns both the philosophy and the practices of apartheid and desires to adopt a policy that will demonstrate its opposition to this philosophy. Now, therefore, be it

**Resolved**, That the Board directs its appropriate officers to implement the following policy as it pertains to both the Republics of South Africa and Namibia and their respective instrumentalities:

(1) Investments—No funds of the School District of Pittsburgh shall be invested in or remain invested in the stocks, securities or other obligations of either the Republic of South Africa or Namibia or any of their instrumentalities. Neither shall any School District fund be invested or remain invested in any financial or investment institution which has investments in the stocks, securities, or other obligations of the aforementioned governments.

(2) Contracts—No contracts of any kind shall be entered into with any individual, business organization or professional association which has any contractual agreements for providing goods or services to the governments of South Africa or Namibia or their respective instrumentalities.

Any individual, business organization or professional association desiring to transact business with the School District of Pittsburgh shall be required to set forth in writing that he, she or it does not provide goods or services to the governments aforementioned. Failure to comply with this requirement shall render this individual, business organization, or professional organization ineligible to contract business with the School District.

(3) The prohibitions in the resolution can be waived if they are:

- (1) Inconsistent with existing laws;
- (2) Inconsistent with the other obligations of current contractual relationships;
- (3) Would constitute undue financial burden on the School District
- (4) No other source of supply exists.

Such waiver shall be granted only by the Board.

Passed April 24, 1985. ●

● Mr. BROWN of California. Mr. Chairman, I rise in support of the Anti-Apartheid Act (H.R. 1460), which sends a firm message to the South African Government that racism by custom, practice or tradition is unacceptable. Racism under color of law is intolerable.

Racism is not unique to South Africa, for I know of no society that can cast the first stone, even our society. But the Government of South Africa is singular in establishing a legal framework to preserve and ad-

vance the objective of apartheid. The Anti-Apartheid Act would bear witness that such a society, acting under color of law, is not welcomed here in the United States.

Critics against economic sanctions argue that constructive engagement will bring about a peaceful change and the elimination of apartheid in South Africa. They point to recent changes, such as permitting Asians and coloreds to be represented in Parliament and proposals to scrap the Mixed Marriages Act and the Immorality Act, and proudly boast that this is proof that the South African Government is changing in its attitude toward blacks. However, they fail to see that these are purely cosmetic changes at best, and that these changes have nothing to do with the fact that the plight of South Africa's 22 million blacks has not been eased.

The facts show that internal repression has escalated dramatically over the last 4 years: controls limiting black access to white areas have been strengthened; arrests for pass law violators have more than doubled; fines for employers hiring illegal black workers have increased tenfold; and over 9 million blacks will lose their South African citizenship by 1986 as part of the Government's racist homeland policies.

Critics also argue that those most affected by the loss of the American business presence will be the black South Africans. These claims are unfounded. The effects on employment will be minimal, because this bill would permit U.S. businesses to reinvest their earnings and to continue their operations in South Africa. Moreover, only about 1 percent of South Africa's black work force is employed by U.S. firms.

Black South Africans have made it clear that even if sanctions create hardship for them in the short run, they are willing to bear that burden to achieve political and economic freedom in the long run. As Sally Motlana, vice president of the South African Council of Churches has said, "We don't want our chains made comfortable. We want them removed." Likewise, Nobel Peace Prize winner Bishop Desmond Tutu has given his support to economic pressure on the South African Government by calling for total divestment if apartheid is not eliminated within 18 to 24 months.

The Reagan administration contends that sanctions do not work. This statement is clearly contradictory since the United States has used such sanctions in the past—against Rhodesia, Uganda, Cuba—to name a few—and most recently Nicaragua—to encourage change in the behavior of foreign governments and to underscore U.S. opposition to these regimes. The sanctions in this bill would in no way eliminate American leverage in South Africa, rather it will provide incentives for real reforms. Active opposition to apartheid is in the best interest of the

United States, South Africa and the world, for it is only a matter of time before South Africa's black majority will assume power. Bishop Tutu has said:

We will be free whatever anybody does or does not do about it. We are concerned only about how and when. It should be soon, and we want it reasonably peaceful. When we are free, South Africa still will be of strategic importance, her natural resources still will be of strategic significance, and we will remember who helped us to get free.

Let's make sure that the United States' Government adheres to its own ideals and stands firm against the system of apartheid by supporting the Anti-Apartheid Act. ●

● Mr. GARCIA. Mr. Chairman, I rise in support of H.R. 1460, the Anti-Apartheid Act. As an original cosponsor of this bill, and as an ardent opponent of apartheid, I urge my colleagues to also support this most worthy legislation. It is a well balanced proposal that addresses the inherent flaws within our policy toward South Africa.

This is a constructive policy. It is not overly restrictive. With this bill we are, nonetheless, sending a definite signal to the Government of South Africa, telling them that we cannot do business with a government that treats its majority community in such an unspeakable manner. We are not merely talking about political rights here; we are talking about human dignity.

The major provisions of this bill:

First, that it would prohibit any new loans or credits to the government of South Africa; second, that it prohibits the importation of krugerrands; third, that it prohibits new investments; fourth, that it prohibits the sale of computer technology; and are not at all unreasonable, particularly considering the Government we are dealing with.

This is not a racial issue. It is a moral outrage, to think that we in any way lend support, directly or indirectly, to the Government of South Africa. There are over 25 million non-whites living in South Africa who are systematically being deprived of their rights by a white minority of less than 5 million people.

This is not a question of civil rights. There is not a question of separate but equal under apartheid. All nonwhites are inherently unequal under that system. It degrades all human beings: black, brown, and white. It does not allow people to interact with one another. It fosters hatred and despair.

It is important that this issue not get lost in the shuffle of current events. It must remain an important item on our foreign policy agenda, and H.R. 1460 is the vehicle that will insure that it does not get lost in the shuffle of vague promises and certifications. We cannot legislate morality. We cannot force the South African Government to end apartheid. What we can do, however, is insure that the

costs of maintaining this most abhorrent system remains high. Passing H.R. 1460 is a step in the fight to bring down apartheid. I urge my colleagues to support it.●

● Mr. MINETA. Mr. Chairman, I rise in support of the strongest possible sanctions to be taken against the government of South Africa. The American people can no longer economically and politically support the policy of apartheid. Past administrations have tried to effect change in South Africa through dialog. They have condemned, cajoled, reasoned, and pleaded with the Pretoria government to change their policies of denying rights, basic human rights, to the black population of their country. These attempts have not come to much in the way of removing apartheid.

The present administration has taken a course called constructive engagement—a policy based on the belief that private pressures will go farther in coaxing Pretoria to give up apartheid, than public outrage and public pressures. What has 4 years of this so-called constructive engagement brought? I believe there is a consensus in this country that the situation has gone from bad to worse for blacks in South Africa.

Basic human rights are still being denied to South African blacks. In their own country, South African blacks cannot vote; they must carry passes at all times; they cannot own property in areas that amount to 87 percent of the country because those lands are reserved for whites; they are barred from making economic progress; and millions have been stripped of their citizenship under the devious homelands policy.

In addition, brutal police state actions seem to have increased, not decreased, during this phase of constructive engagement policy. In retaliation to political activism by the blacks, the South African Government has cracked down with brutality, with the shooting of demonstrators, arresting of thousands, restricting or banning of previously legal political groups, and killing many who were held in police custody.

Constructive engagement has been tried and can now be set aside as a failed policy. The well-publicized reforms of the Government of South Africa—the repealing of the ban on interracial marriage, for instance—makes mockery of our Government's present policy toward the Pretoria regime. Does our administration and South African President Mr. Botha expect us to believe that these cosmetic concessions are the harbingers of sweeping reforms to come? Should black South Africans take heart, that at last, close at hand is a plan for dismantling apartheid?

Who does the administration and Mr. Botha think they are deceiving? Certainly not the South African blacks, certainly not the American

people, and I hope certainly not this Congress. The South African Government has given no indication that they are seriously considering sharing power with the black majority. We have had enough of the endless talk of reforms that constructive engagement was to have brought.

Mr. Chairman, it is time for a change in the policy of the United States toward South Africa.

I ask that economic and political sanctions be taken against the South African Government. There are those who say that sanctions are not the right way to encourage change in South Africa. Yet, those who say that give us no viable alternatives, only rhetoric, and a string of failed policies. We are not saying that our Government can, or that sanctions can, reorder the system in South Africa. But we are saying that sanctions will go a lot farther in pressing for a change in the racist policies than more political rhetoric.

I am outraged by those that accuse proponents of sanctions of merely seeking a moral highground, or picking only on South Africa. The fact of the matter is that we are involved with a government, in a way that we politically, economically and morally support their apartheid policies. This involvement brings us to bear a serious responsibility. The question before us is whether we can accept that responsibility and act responsibly today. Will this body continue to be passive bystanders as the Administration continues their near tacit approval of apartheid?

The hour is late, but not too late. If we do not act now, we may lose an opportunity to actively participate in bringing about an end to apartheid. I ask my colleagues not to remain silent, not to obfuscate the issue, not to drag their feet, but to take a strong stand that we can no longer continue to do business as usual with a government that upholds racism as an official policy.

The time for pure rhetoric has passed. We must live up to, not just speak of, our democratic ideals in our domestic as well as international policies. I urge my colleagues to extend their support for the strongest sanctions, and therefore, the strongest signals, to show that we will no longer tolerate as a close ally, a government that institutes the policy of apartheid. Thank you.●

● Mr. TOWNS. Mr. Chairman, I want to voice my wholehearted support for H.R. 1460, the Anti-Apartheid Act of 1985. This legislation, which has broad bipartisan support, gives the Congress an opportunity to stand firm in its opposition to the system of apartheid in South Africa.

The Reagan administration's current policy of constructive engagement has only strengthened the hand of hardliners in the South African Government who are opposed to changes which can only lead to a violent con-

frontation between blacks and whites in that country. Active opposition to apartheid, however, is the appropriate posture for a nation, such as ours, that prides itself on freedom and justice for all regardless of race, creed, or national origin. Constructive engagement merely aids the repression and discrimination of the South African Government, aligning the United States with a racist regime.

H.R. 1460 imposes four economic sanctions of South Africa. These sanctions are a reasonable response to ending our complicity with the system of apartheid. The sanctions involve a ban on loans to the South African Government; a ban on any new investment in South Africa; a ban on the importation of South African kruggerands; and a ban on the sale of computers to the South African Government.

It is time for Americans to stand up for justice and freedom for all the people of South Africa not just a small minority who obtained their position solely on the basis of race. The realities of this system are abundantly clear when 85 percent of the population is denied basic political rights and South Africa's black workers earn less than one-third of the wage paid to white workers. Workers who have protested these inequitable conditions have been beaten, jailed, and often killed.

H.R. 1460 is the last peaceful tool available to bring pressure of the South African Government to end its policy of apartheid. Last year, the House agreed to an amendment to the Export Administration Act which prohibited loans to the South African Government. The Senate opposed this provision in conference. With renewed violence in South Africa, particularly the recent deaths of union leaders and peaceful protesters, it is clear to me that greater sanctions are needed than those proposed in the Export Administration Act. I urge my colleagues to lend their support to H.R. 1460, without weakening amendments. We will be judged in history as to whether we stood on the side of justice and freedom for the people of South Africa. I hope that we will be on the right side of history, today, by supporting H.R. 1460.●

Mr. WOLPE. Mr. Chairman, I have no further requests for time, and I yield back the balance of my time.

The CHAIRMAN. Under the rule, the gentleman from Maryland [Mr. MITCHELL] will be recognized for 30 minutes and the gentleman from Ohio [Mr. WYLIE] will be recognized for 30 minutes.

The Chair recognizes the gentleman from Maryland [Mr. MITCHELL].

Mr. MITCHELL. Mr. Chairman, I yield 5 minutes to the gentleman from the District of Columbia [Mr. FAUNTROY].



(Mr. FAUNTROY asked and was given permission to revise and extend his remarks.)

Mr. FAUNTROY. Mr. Chairman, I rise in support of H.R. 1460, the Anti-Apartheid Act of 1985.

The significance of our consideration of this legislation today lies in the fact that in America, we've known racism and oppression.

We've known slavery and black codes; we've known Jim Crow, back of the bus, and Bull Connors, with his fire hoses and dogs. In America, we've known racism and oppression.

But racism and oppression rear their ugly heads most stridently in South Africa where 90 percent of the land and 70 percent of the income has been grabbed by a white minority, who has relegated 80 percent of the population to second class, impoverished status, simply because they are black.

Apartheid—modern day, institutionalized racism and oppression—is reflected in passbook laws, a system wherein passes are required of blacks for movement, and without these passes, they are fined or jailed. Apartheid is reflected in resettlement camps—dirty, filthy, inhumane camps for blacks, with high infant mortality rates. Apartheid is the South African Government uprooting families through forced relocations and denationalization. It is migratory labor, separating black families for nearly a year to insure cheap labor for white communities. Apartheid is reflected in homelands, modern day reservations of barren, rural wasteland. And under the system of apartheid, blacks have no say in the government that rules them—they are not allowed to vote.

Most disturbingly, apartheid is reflected in the arrest and jailing of blacks without any semblance of due process. It is reflected in unbridled, unmitigated violence, perpetrated by the Government of South Africa. In recent months, more than 400 black South Africans have been killed, far too many of them having died while in police custody.

I believe world opinion will no longer tolerate the system of apartheid. I have been encouraged by growing opposition to the policies of the South African Government and to our Government's policy of "constructive engagement."

H.R. 1460 is a consensus initiative worthy of the support of this body. It is practical enough to stand a fighting chance of passage in the Senate, yet it is firm enough to send a clear, strong message to the Government of South Africa.

Early in this Congress, I introduced H.R. 1098, the South African Human Rights and Conditionality Act of 1985. Two key concepts are incorporated in H.R. 1460 that are important features of my bill, H.R. 1098.

The first concept may be referred to as conditionality or the Tutu principles. It reflects the recommendation by Bishop Desmond Tutu that the

South African Government be given a time certain to make fundamental change in its system or face stiff sanctions. As we shape a law for new U.S. policy in South Africa, I believe it is very important that we listen carefully to those who are suffering under the thumb of apartheid. We have met Bishop Tutu's recommendation by providing for waiver of the restrictions on new investments and the ban on importation of Krugerrands if the President certifies that the South African Government has met one or more of certain conditions and if Congress passes a joint resolution agreeing with the President. Further waivers are allowed under the same process as more conditions are met.

The second concept seeks to encourage other nations to join the effort to end apartheid. At section 10 of H.R. 1460, we direct the President to attempt, by negotiations, to persuade these nations to adopt a program of restrictions comparable to ours. This provision is vital because if a U.S. firm voluntarily acts against apartheid, as the Chrysler Corp. recently did, or if a U.S. firm conforms to the provisions of H.R. 1460 once it becomes law, a foreign firm should not be freely allowed to step into that open market, exploit cheap labor, and assume an unfair competitive advantage.

There is another provision taken from H.R. 1098, which is embodied in H.R. 1460. At section 12, subsection 10, the term "political prisoner" is defined. The definition is drawn from the Refugee Act of 1980. Persecution and incarceration of political prisoners in South Africa is a major problem. This subsection is designed to help free persons like Nelson Mandela, without countenancing terrorism.

By passing H.R. 1460 today, we can begin to move our Nation to the high ground of principle by insuring that the moral and economic influence of the United States is felt in South Africa. The administration seems to be wedded to its policy of constructive engagement. It will take leadership from the Congress to put this Nation on the right track.

Mr. Chairman and my colleagues in the House of Representatives, as most of you know, it was 6 months ago this very day that I, Randall Robinson of TransAfrica, and Dr. Mary F. Berry of the U.S. Civil Rights Commission launched the Free South Africa Movement. That movement has grown to embrace a new coalition of conscience in our Nation that now includes Democrats and Republicans, students and senior citizens and women, blacks, whites, Hispanics, Asian Americans, native Americans, union members, Protestants, Catholics, Jews, Muslims, and gentile alike; all of whom want America to do her part to halt the South African regime's blind march to tragedy, bloodshed, and violence, and move up the road toward national reconciliation and dialog that will end the

most vicious system of racist repression the world has seen since Nazi Germany.

The Republic of South Africa, with its racist system of apartheid, is the only place on the face of the globe where racism is enshrined in law. By law, in South Africa, the color of one's skin determines whether a person can own property, where he may live, where he may work, and whether he can vote. In South Africa 22.3 million people, 73 percent of the population, are brutally denied their basic human rights, simply because their skin is black. Apartheid is a system of rigid social segregation, and vicious political domination that is a moral outrage to people of conscience and human decency across this Nation and around the world.

Members of our House Banking, Finance and Urban Affairs Committee are strongly supportive of H.R. 1460 because our jurisdiction makes us keenly aware of the extent to which apartheid is, at heart, a labor control system that is built upon cheap labor and foreign investment.

Because black South Africans are forced to work in mines for an average wage of \$175 a month, the average return on investment in a mine in South Africa is 25 percent, while around the world the average return is only 13.7 percent. Because black South Africans are forced to work in factories for an average wage of \$232 a month, the average return on an investment in a factory in South Africa is 18.7 percent, while around the world the average return is only 12.6 percent.

It is little wonder then that American banks, corporations, and individuals have invested \$14.5 billion in this slave labor system which apartheid maintains for investors around the world. The Federal Reserve Board reports, that as of June 1983, U.S. banks had invested \$3.8 billion in direct loans to the South African Government and businesses. Both the Survey of Current Business and Nation magazines reported in September 1983 that American corporations had direct investments of \$2.6 billion in businesses and industries that they operate in South Africa. And, American citizens had \$8 billion invested on the Johannesburg Stock Exchange.

While the slave labor wages in South Africa offer American banks, corporations, and stock purchasers a higher return on their investments, they profit at the expense of American workers who have lost their jobs to the slave labor system in South Africa. Take the steel industry, for example. Steel production in this country has gone down 50 percent in the last 10 years with the loss of 700,000 jobs for American workers. Over the same period South African exports of steel to the United States has gone up 5,000 percent. Why? Because financial institutions like Chase Manhattan, Citi-

Corp., Continental Illinois, Kidder Peabody, First Boston, Merrill Lynch, Smith Barney, Manufacturers Hanover, and Morgan Guarantee Trust have invested hundreds of millions of dollars in ISCOR, the Government owned and subsidized Iron & Steel Corp. of South Africa.

Jobs that left Gary, IN, and Youngstown, OH; Pittsburgh, Homestead, and Johnston, PA opened up in South Africa.

This fact was brought home to me dramatically last December when I traveled to Mobile, AL, to open the Free South Africa Movement in that port city on the Gulf of Mexico. None other than Gov. George C. Wallace of Alabama sent an emissary to my press conference to announce that he was making me a lieutenant colonel in the Alabama State Militia, and that he supports the Free South Africa Movement. Why? Because apartheid in South Africa takes jobs from Alabama steel workers. Ship builders import steel from South Africa to make ships in Mobile while up the road in Birmingham steel mills are laying off workers, and the KKK is outside the gates greeting the white workers who come out with their pink slips telling them that they lost their jobs to government programs of affirmative action. George Wallace was saying "no, that's not the problem! The problem, in part, is that those who used to invest in United States Steel and Bethlehem Steel are now investing in ISCOR and its slave labor market in South Africa." George Wallace supports the Free South Africa Movement.

In Chicago a few years ago, they were building a State office building with steel beams imported from South Africa, at the same time that United States Steel's Southworks Plant in Chicago, which makes the same kind of steel beams, had laid off steelworkers by the thousands. To add insult to injury, steelworkers had their savings in the Continental Illinois Bank, which was investing millions of dollars of their money in ISCOR to help this vicious system of apartheid in South Africa eliminate their jobs.

Mr. Chairman, the American people are getting fed up with apartheid, not only because of its system of social segregation and political domination that is a moral outrage, but also because it is beginning to hit us where it hurts the most: Jobs for our people.

H.R. 1460 gives us an opportunity to help do our part in dismantling this system of labor control that feeds on cheap labor and foreign investment. We are not asking for military aid to South African freedom fighters to overthrow their Government. H.R. 1460 does not force American firms and individuals to divest themselves of their holdings in South Africa. We do not wish to destroy South Africa; we want to redeem her. H.R. 1460 merely bans all new investments by American banks, firms, and individuals.

We ask your votes for H.R. 1460 today. For what we have here is primarily a moral issue. It cannot be assuaged by pious declarations that apartheid is repugnant. It cannot be left to this administration's policies of constructive engagement. It cannot be quieted by half measures that amount to little more than token moves and talk. It is time to act—in the Congress, in our State and local legislative bodies and, above all, in all of our daily investment practices.

We ask the House of Representatives today to act, to make a commitment to human rights and justice in our relations with South Africa that we have not fully made in this century. We ask you to ban all new investments by American institutions and citizens in South Africa. We ask you to ban the sale of the Krugerrand, and the sale of computers to the South African Government until the Republic of South Africa takes steps to dismantle this system of social segregation and political domination, for the purpose of economic exploitation.

An old English Methodist minister in the 18th century put it best:

On some issues—cowardice asks the question, is it safe? And vanity asks the question is it popular? Expediency asks the question is it politic? But conscience asks the question is it right?

I ask you to vote for H.R. 1460 not because it is safe, or popular or politic to do so, but because conscience tells you that it is right.

□ 1650

Mr. WYLIE. Mr. Chairman, I yield myself such time as I may consume.

(Mr. WYLIE asked and was given permission to revise and extend his remarks.)

Mr. WYLIE. Mr. Chairman, I would like to express my general support for the thrust of H.R. 1460, the Anti-Apartheid Act of 1985, which calls for a ban on new loans or credits to the Government of South Africa, a prohibition on new investments including bank loans in South African businesses, and a ban on the import of Krugerrands.

I would point out that all of the sanctions would terminate if apartheid is dismantled. I would, also, point out to my Republican colleagues that the prohibitions on new investment and Krugerrand imports could be waived by the President if he determines that South Africa is abandoning its apartheid policies.

I think H.R. 1460 is reflective of grassroots political activity going on in our county seats, State capitals and boardrooms across the country. Eleven city governments and five State governments have passed legislation totally or partially pulling public funds out of corporations and banks doing business with South Africa. In my State of Ohio, for example, city councils in Cincinnati and Youngstown have passed ordinances divesting their municipalities of investments in South

Africa. Last fall a majority of the Ohio Senate voted for a similar disinvestment plan, but the bill fell one vote short of the necessary two-thirds majority. The board of trustees of Ohio State University located in my district, has a disinvestment petition pending before the faculty committee and is expected to make a decision on the issue in the near future.

I am well aware that the provisions in this bill is not likely to threaten the banking or economic system in South Africa or, for that matter, prevent other countries' banks from replacing U.S. banks as lenders. It is also true that other countries such as Japan, the United Kingdom, and the Federal Republic of Germany have significant commercial interests in South Africa and their firms could quickly fill gaps left by departing U.S. firms.

Furthermore, in the face of international sanctions on its arms and oil imports, the regime in Pretoria has shown a remarkable ability to substitute indigenous domestic production for foreign goods. Despite OPEC sanctions, South Africa is self-sufficient for four-fifths of its energy needs and its growing domestic arms industry has turned the country into a substantial net arms exporter.

Why then do I support legislation which may well have no more than symbolic value and which is not supported by this administration?

The answer has to do with the nature of South African society and the officially sanctioned discrimination inherent in the system of apartheid and is not intended to suggest a failure of the constructive engagement policy. As far as I know, South Africa is the only country in the world where racism is institutionalized by law and openly defended by its government.

While I can claim no overriding expertise in this area of foreign policy, it is my understanding that a central goal of U.S. foreign policy in the region has been to encourage the South African Government to end apartheid and grant official political, economic and social rights to all of its people.

Without a doubt, changes are occurring within South Africa. Black labor unions have been legalized and in 1983 there was a reduction in the number of banning orders and some relaxation in the control over the black political leadership. With the implementation of a new constitution, South Africa did give a measure of political representation to the Coloureds and to Asians; but blacks are still excluded from any political representation.

On December 4 of last year, I joined 34 of my Republican colleagues in sending a letter to the South African Ambassador in Washington expressing grave concerns about the mounting violence in South Africa and the pernicious effects of apartheid on the long-term United States-South African relationship. In the letter to Ambassa-



dor Fourie, we noted that our goal was an immediate end to the violence in South Africa and a "demonstrated sense of urgency about ending apartheid."

Since December of last year, unrest and clashes in black areas with South African police have escalated. On February 18 and 19 approximately 12 people were killed and 195 were injured in clashes between police and demonstrators at the Crossroads squatter camp near Capetown.

On March 21 of this year, South African police killed 19 blacks when they opened fire on a funeral procession marching toward the city of Uitenhage.

As the violence escalates so does the rhetoric: In January, Prime Minister Pik Botha, made yet another speech promising changes in apartheid, but the reality is altogether different. The parliament and local governments allow no political participation by black Africans. Influx control and forced group area clearance continue as do practices of detention without trial and press censorship.

In short, the internal situation in South Africa has deteriorated over the past 5 months and our present policies do not seem to be bringing about the necessary reforms.

Enactment of this bill might not bring about reforms, but at least it will symbolically affirm the commitment of Congress that we have a sense of moral obligation to do everything possible to end the abhorrent racial policies of the Pretoria regime. It also leaves the door open for a Presidential waiver if and when significant changes are made in the apartheid system.

In my view the time has come to do more than just talk about the injustice of apartheid.

Mr. MITCHELL. Mr. Chairman, I yield 3 minutes to the gentleman from New Mexico [Mr. RICHARDSON].

(Mr. RICHARDSON asked and was given permission to revise and extend his remarks.)

□ 1700

Mr. RICHARDSON. Mr. Speaker, there is no more important human rights vote in the U.S. Congress than the one that will be taken today. There is no issue that deals with human rights and foreign policy that is more far-reaching and important. No vote.

This bill will not be equaled in the next decade in terms of the commitment of this body to racial equality, human rights, and freedom around the world.

This is an important bill because it would clearly demonstrate America's passionate commitment to racial equality, human rights, and nonviolent change. This bill would foster the friendly relations that are deeply needed between the American people and the black majority of South Africa.

It would further discourage the superpower rivalry that is being fostered by South Africa's expansionism and their racial repression.

What about this constructive engagement policy? The carrot policy that this administration has espoused so that South Africa becomes nicer has not worked. What has it brought? What have these positive South African votes at the United Nations produced? Nothing except regression. What have these many speeches of quiet diplomacy and constructive engagement brought? Nothing except perhaps worse conditions. Here is the U.S. record:

Failure to condemn South Africa's invasion of Angola in 1981. Failure to talk about repression. This is South Africa's response to the American carrot—controls limiting black Africans to access areas, to white areas, have been strengthened. Two more homelands, two more homelands since constructive engagement was announced. Urban black Africans have been further isolated. Only 18 percent of urban black Africans have any kind of educational and economic benefits compared to the rest of the population.

Since September, 300 have died in the townships of South Africa violently. Not jail, not torture, but massacred. Does this country want to stand behind the government that practices these kinds of policies? In my judgment, these sanctions are rather modest. In my judgment, these sanctions are a start, to signal to the world that this country does stand for what our Founding Fathers said: Democratic principles, human rights, peace, racial equality; voting for this bill is the least that we can do today.

There is no more important vote that we will have in this session and many other sessions for human rights and racial equality and civil rights than the vote we will take today.

Mr. WYLIE. Mr. Chairman, I yield 4 minutes to the gentleman from Connecticut [Mr. McKINNEY].

(Mr. McKINNEY asked and was given permission to revise and extend his remarks.)

Mr. McKINNEY. Mr. Chairman, as an original cosponsor of H.R. 1460, I rise in strong support of the Anti-Apartheid Act of 1985. The author of this legislation, Representative WILLIAM GRAY, as well as the respective chairmen of the Committees on Foreign Affairs and Banking, Finance and Urban Affairs, Representatives DANTE FASCELL and FERNAND ST GERMAIN should be commended for expeditiously bringing this legislation to the floor.

This measure has strong bipartisan support and warrants prompt approval by this House. This measure clearly is not a disinvestment bill, but in the same respect it sends an unambiguous message to the Republic of South Africa that this House finds the policies of apartheid repugnant.

The legislation establishes as U.S. policy the eradication of the institutionalized policies of apartheid. It does this by making four major changes in our Nation's economic relationship with the Pretoria-based South African Government. First, it prohibits U.S. banks from extending loans to the South African Government or any entity owned or controlled by the Government. Second, it bans new investment in South Africa by any person. Third, it outlaws the importation of Krugerrands. And finally, it prohibits the sale of computers or computer technology intended to service computers in South Africa.

I think most Americans have read the Declaration of Independence and would agree with Thomas Jefferson when he said:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

Likewise, I believe that most Americans view apartheid as morally wrong.

Over the past 4 years the administration has practiced the policy of constructive engagement with the Pretoria Government. The objective of this policy is to increase communication between the United States and South Africa's Afrikaner elite, to reduce its isolation and persuade it to move toward reform. Advocates of constructive engagement believe that this strategy will create a framework wherein the United States can encourage internal reforms in South Africa. These proponents point to the new South African Constitution which permits limited political participation by South Africa's Indians and persons of mixed race.

Yet while the theory of constructive engagement appears viable, in practice, it has not produced the desired results. The new multiracial Parliament is a mere cosmetic change. Today, in South Africa 5.5 million whites still decide the fate of 21.6 million blacks. Given the slow pace at which constructive engagement is moving, further actions obviously are needed to jolt South Africa into the 20th century.

That is why I urge the House to adopt H.R. 1460 in its present form. It is a necessary step to show the international community, and most importantly, the Government of South Africa, that we will not tolerate or in any way assist the indefensible policies of apartheid.

Mr. MITCHELL. Mr. Chairman, I yield 4 minutes to the gentleman from Louisiana [Mr. ROEMER].

(Mr. ROEMER asked and was given permission to revise and extend his remarks.)

Mr. ROEMER. Mr. Chairman, I would like to make four quick points in favor of H.R. 1460, the Anti-Apart-

heid Act of 1985. I want to make these points because of criticism I've heard since introducing my own apartheid bill back in January. A bill tougher than H.R. 1460, I might add.

First of all, why South Africa? Are things really so terrible down there?

Well, I think the answer is a resounding "Yes." Apartheid is nothing but institutionalized racism that treats 22 million human beings like animals. The black majority in South Africa is denied the right to citizenship, the right to national political participation, the right to live and work where they choose, the right of free assembly. All basic human rights; all denied to black South Africans.

Forty years ago the world celebrated its victory over an evil system that judged people on the basis of religion and heritage. I think it's just as appropriate, four decades later, to speak out against a similar system that judges people on the color of their skin.

Second, why single out South Africa? Aren't there other countries just as guilty of human rights abuses?

Well, sure there are. That's why this country has imposed economic sanctions against them. Iran, Libya, Cambodia, East Germany, Vietnam, Syria, and some 12 other countries face various forms of U.S. sanctions right now. Imposing the economic sanctions outlined in H.R. 1460 would only be consistent with our policy toward several other nations. We surely aren't singling out South Africa.

Third, what about economic freedom? Wasn't America founded on economic freedom? Shouldn't American citizens be free to invest their money wherever they want?

A free marketplace is one of the cornerstones of this country. I'm a strong supporter of economic freedom and the market's wisdom.

But let's not confuse freedom with anarchy. Freedom has its limits; it comes with some responsibility.

For example, there's a 55-mph speed limit in this country. The motorist is not free to drive 90 miles an hour without suffering the consequences. Not everyone in America is free to vote in our elections; you must be at least 18 years old. The arms dealer is not free to sell to the terrorist of his choice; there are laws against that sort of thing.

Should we ship computers and high-tech equipment to Russia or some other adversary? Or should we set limits on that freedom? By the same token, should we support apartheid through investment and loans? Or should we set limits on support of a political system that treats people like animals?

It's not a question of freedom. It's a question of right and wrong.

Fourth, shouldn't we be helping an important ally like South Africa?

It's true South Africa holds strategic importance to this country. And we ought to do everything we can to ensure its stability.

But who can argue apartheid has brought stability to South Africa? Just the opposite. That country is bleeding to death. As long as apartheid exists, we're in danger of losing an ally. And as I've said before, the entire continent of Africa, not just a single country, is at stake here.

We ought to speak out against the evil that is apartheid. We ought to invoke modest, but effective, economic sanctions. We ought to approve the Anti-Apartheid Act of 1985.

This H.R. 1460 is a modest proposal. Much more could be done—or much less. At one extreme we could require disinvestment. Or at the other end we could threaten to act, but do nothing.

H.R. 1460 is the middle ground, restricting new investment, computer sales to government, and bank loans, but giving South Africa a chance to remove these burdens if progress against apartheid is made.

H.R. 1460 doesn't require perfection, just progress.

It deserves your vote. It's a beginning, not an end.

□ 1710

Mr. WYLIE. Mr. Chairman, I yield 4 minutes to the gentleman from Iowa [Mr. LEACH].

(Mr. LEACH of Iowa asked and was given permission to revise and extend his remarks.)

Mr. LEACH of Iowa. I thank the gentleman for yielding me this time.

Mr. Chairman, this resolution reflects broad bipartisan concerns, but I would like to make several partisan observations.

My chosen political party—the Republican Party—was founded a little more than a century ago to end apartheid in the United States.

The resolution before us today is hardly radical or the reflection of a narrow liberal concern. In principle it is fundamentally conservative, traditionally Republican, reflective of the most basic American values.

All we ask of this Republican President is that he advance a foreign policy consistent with the views of the first Republican President, Abraham Lincoln.

The Republican Party was born in the smoldering cradle of apartheid-like conditions. Like the majority in South Africa today, American blacks in the last century were not recognized as citizens and were denied the right to vote. Like the majority in South Africa today, American blacks provided the slave or cheap labor so vital to maintaining a plantation economy. Like the South African majority, yesterday's blacks in America were denied due process of law and were often at the mercy of a court system that failed to protect and instead punished the victims of an unequal society. Like the South African majority, American blacks were precluded the opportunity of receiving the same education as whites. Finally, and most poignantly, the American slave system

like South African apartheid, blasphemed the family—separating parents from children and husband from wife—because of a system that put profit over compassion.

What distinguishes America from all other countries in the history of the world is that we are the first Nation founded under the principle of individual rights. The greatest debate in our history revolved around whether the rights we enshrined in our Declaration of Independence would be extended to those who were not of pale complexion. That debate was carried out first in the town halls of New England and then from the political stumps of the emerging West. In the end it required sacrifice—the death in our Civil War of more Americans than the combined casualties of all the other wars in which we ever participated.

America was led a century and score ago by a conservative Republican President—perhaps our greatest—who recognized that only through emancipation could the union be saved and the cause of individual rights and dignities be advanced.

In this context we must ask ourselves whether we can continue to give lip service to condemnations of apartheid while at the same time legitimizing its existence through our trade.

Isn't it time to suggest that principle come before profit, that the lessons of Fort Sumter not be lost? Don't we, as the leading force in the free world, have a moral imperative to keep the quest for larger truths the most basic element of our foreign policy? Don't we have a responsibility to ennoble our ideals in this century as we did in the last?

To be true to our heritage Americans do not have the luxury of ducking this issue. Its meaning is too great; its result too important.

Mr. MITCHELL. Mr. Chairman, I yield 3 minutes to the gentleman from New Jersey [Mr. RODINO].

(Mr. RODINO asked and was given permission to revise and extend his remarks.)

Mr. RODINO. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise as an original cosponsor of the Anti-Apartheid Act of 1985 (H.R. 1460) to express my deeply felt belief in the necessity of this legislation and the urgency with which we must act on it.

It should come as no surprise to us in Congress that Americans of all backgrounds—individual citizens, students, members of civic groups, churches, and synagogues—are growing increasingly impatient with the South African Government and its repugnant policy of apartheid.

For the foundation of American democracy is based on a moral principle deeply ingrained in our Nation—that everyone is equal before the law. It is this principle that underlies our Constitution and guarantees our freedoms.



It is this principle that fertilized the great struggles of the civil rights movement. It is this principle that separates a nation of laws from a lawless nation.

Yet this same principle is subverted today in South Africa, where the constitution enshrines a system of injustice that undermines the very ethic of equality that the law is supposed to embody.

So how do we, as a law-respecting Nation, respond? How can we both encourage change and at the same time eliminate our complicity with this abhorrent system?

This bill, the Anti-Apartheid Act of 1985, is an appropriate beginning. For it addresses most directly the economic credibility of the regime. With this bill, America can begin to dismantle what former South African Prime Minister John Vorster used to call "the bricks and mortar on which South Africa is built"—foreign investments.

This bill bans new investments in South Africa, bank loans to the South African public sector, the sale of kruggerands, and the sale of computers that have been so central to the implementation of South Africa's notorious pass laws. Since only new investments would be prohibited, the bill will not jeopardize existing jobs. And since less than 1 percent of the black labor force is employed by American firms anyway, few jobs could be jeopardized.

Although this is not a disinvestment bill, its message is clear: Americans no longer intend to subsidize apartheid, and we are willing to apply the type of pressure that will encourage political negotiations to achieve a just system by peaceful means. We must act before it's too late, while the nonviolent movement remains strong. As Bishop Tutu said recently, people must become aware "that it is not merely financial decisions that are being made. It is decisions that have to be made on moral principles." As a Nation, we have no choice but to make the moral decision.

I am reminded of the words of Martin Luther King, which he wrote in the Birmingham jail in 1963 during the sweltering days of the civil rights movement, when this Nation's values and principles were being sorely tested: "We will have to repent in this generation," he said, "not merely for the hateful words and actions of the bad people but for the appalling silence of the good people."

Mr. Chairman, one can only characterize as "appalling silence" the administration's policy of "constructive engagement." With incidents of brutal violence and destruction continuing without interruption, with black funerals not even immune from the strong arm of the outlaw police, I believe that we in America can have only one course of action: To open our eyes, end our appalling silence, and speak out as a Nation with legislation that can have an impact. Every day that we

do nothing, the situation in South Africa grows worse. Now is the time to act. We must pass the Anti-Apartheid Act of 1985.

Mr. WYLIE. Mr. Chairman, I yield 4 minutes to the gentleman from California [Mr. SHUMWAY].

(Mr. SHUMWAY asked and was given permission to revise and extend his remarks.)

Mr. SHUMWAY. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in opposition to H.R. 1460, and before any of you make the judgment that I am an extremist or perhaps a bigot, let me assure you that I do not take this position lightly. I indeed do oppose apartheid, in fact, I oppose racial discrimination in any form, in any place, no matter where it may be found or practiced.

I personally subscribe to the ideal that we are all the children of a common creator, and for that reason, we are entitled the same rights, the same degree of human dignity, the same respect; and I do deplore what has been the policy in South Africa.

In my estimation, as I have analyzed this bill, I believe it falls far short of the mark that we are attempting to achieve here this afternoon. It may well provide some balm for bruised egos; it may well provide some very good political fodder to be spread around back home, but as an instrument of policy for the United States to pursue, I suggest, Mr. Chairman, it is not a sound vehicle.

It seems to me that here in the House of Representatives we are gripped by a certain psychology that impels us from time to time to lash out and to address areas abroad that we have not been able to control effectively here at home. A few weeks ago in this Chamber we adopted a resolution very critical of one of our trading partners, the nation of Japan. Again I believe, superficially, there was good reason for that resolution. There is no doubt that Japan has been very slow to open her markets to our exports and other goods.

But every economist and serious analyst of this problem has said that much of this trade imbalance has been caused by the effects of a strong dollar overseas. Now maybe that strong dollar situation has been good or bad; it depends on how it is viewed. But for the purpose of fomenting a trade imbalance, it was bad.

Again, the strong dollar, we know, has been caused by the U.S. budget deficits that have been repeated year after year. Therefore, Mr. Chairman and Members, the answer to this trade dilemma was in our hands.

□ 1720

Yet, frustrated by our inability to either seek that answer or to apply it here in the House, we lashed out against an ally, and we took a measure of solace to our own shortcomings by adopting that resolution.

Today, as we have historically in this country, we do face racial discrimination. I, for one, and I am sure all Members in this Chamber would agree, wish that we could wipe out all vestiges of racial discrimination in our society. While we have made progress in that regard, we have not totally solved the problem. But maybe we have lost some of that momentum of late, and so now, again, there is another temptation before us to lash out at another ally, in this case South Africa.

I suggest, Mr. Chairman, that the better answer would be for us to redouble our own efforts to solve racial discrimination here at home, and to do so systematically and thoroughly. We could thus set an example for the entire world, demonstrating what freedom of opportunity and equality which the United States has always stood for can mean to a free and unprejudiced society.

Our experience has shown that to achieve such goals takes time, patience, a great deal of work, and an application of diplomacy. I suggest, Mr. Chairman, that these are the very qualities that must be applied to South Africa. I think we can help South Africa most by applying the Sullivan principles, for example, and not by resorting to any kind of punitive efforts such as would be inherent in the passage of this legislation.

Finally, Mr. Chairman, no one would deny that we, as Americans, must oppose apartheid as a deplorable violation of racial equality and human justice.

Mr. Chairman, I firmly believe we have a responsibility to support democratic development wherever it is threatened, whether in South Africa, Central America, or Afghanistan. The means of supporting democratic change, however, must be designed to address each unique situation most effectively. In the case of South Africa, I believe a policy of economic and diplomatic exchange, not boycott and isolation, can provide the best foundation for a stable and long-lasting transformation of South African society.

Although, technically, the bill before us is not a call for total U.S. disinvestment from South Africa, the effect, I believe, of H.R. 1460's provisions would eventually be the same. By banning new investment, including loans to enterprises, this legislation places U.S. businesses in South Africa under a state of siege and denies the positive role that U.S. business can play in encouraging the elimination of apartheid. In my view, the contributions of U.S. firms to improving the economic welfare and advancement of South African blacks have been significant. American companies which adhere to the Sullivan principles employ 70 percent of all workers in U.S. firms, providing opportunities for training, advancement, education, and housing to their employees and play-

ing an active role in the community. In my opinion, the active involvement of the Sullivan signatories, by improving the economic standing of the black population, provides blacks with a stronger basis from which to fight for political change. As an article entitled "Fighting Apartheid" in the March 30 issue of the *Economist* aptly stated, "Economic growth implies change and change threatens any established order. American investment, biased as it is towards the innovative sectors of the economy, is an engine of that change."

An evolutionary pattern of change, one that we can expedite through firm, consistent diplomatic pressure on the South African Government and through support for the efforts of Sullivan signatory firms, will better serve the interests of democracy and stability in the southern African region. H.R. 1460, by proposing a ban on loans to the South African Government, on the sale of computer goods and technology to the government, on new investment, and on the importation of Krugerrands into the United States, seeks to impose severe economic pressure on the South African Government, which, if successful, will have the most immediate and devastating impact on those we aim to help. Furthermore, this economic hardship could easily enflame an already tense situation, erupting into violence that could spread beyond South Africa's borders and spur the intervention of outside powers. I cannot help but question, Mr. Chairman, the potential for establishing under such conditions a strong, stable, and fully participatory political system—the goal that we all seek for South Africa.

Mr. MITCHELL. Mr. Chairman, I yield 2 minutes to the gentleman from the Virgin Islands [Mr. DE LUGO].

(Mr. DE LUGO asked and was given permission to revise and extend his remarks.)

Mr. DE LUGO. Mr. Chairman, I rise in support of H.R. 1460, Mr. GRAY's bill to impose sanctions on South Africa of which I am a cosponsor. The situation in that country is deteriorating. The violence, fear, and persistent unrest force us as a Nation to face the fact that we can no longer stand by and hope that our passive disapproval of apartheid will make an impression. "Constructive engagement" has not yielded the necessary results. The message from Black South Africans is loud and clear: "Apartheid is intolerable". If we accept the humanity of Black South Africans, the message should be one that we can understand and address.

My colleague from Michigan, Mr. SILJANDER, in a "Dear Colleague" letter has suggested that Mr. GRAY's proposal is demagoguery, and that it will only lead to a bloody revolution. But the proposal is designed to avoid such as reception by increasing the pressure for change without disrupting existing investment in South

Africa. I am not certain that the violent revolution Mr. SILJANDER anticipates is avoidable. I do believe that without this type of substantive support violent revolution is inevitable.

Mr. SILJANDER has made some excellent proposals which I believe would complement H.R. 1460. Specifically, his "Dear Colleague" of May 6, 1985, suggests making the Sullivan principles mandatory for all American companies, increasing the human rights revolving fund to \$2 million, assist black labor unions with \$1.5 million through the National Endowment for Democracy, provide \$15 million in scholarships for black South Africans, allow OPIC credits for joint ventures between U.S. firms and nonwhite owned South African firms, and establish a commission to monitor the abolition of laws which provide the basis of the apartheid system. I believe that instead of an amendment in the nature of a substitute, as Mr. SILJANDER proposes, these should be added to the sanctions that H.R. 1460 would impose.

If this country's commitment to human rights and democracy are to be believed, we must be consistent. This means that we cannot support the economy of South Africa, and hope that our moral indignation alone will pave the way to change. H.R. 1460 is a modest, but well balanced, proposal in support of a peaceful transition in South Africa. We must do no less.

Mr. WYLIE. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. WORTLEY].

(Mr. WORTLEY asked and was given permission to revise and extend his remarks.)

Mr. WORTLEY. I thank the gentleman for yielding this time to me.

Mr. Chairman, the question before us today is not apartheid. Everyone agrees that apartheid is unjust, immoral, and inhumane. We are not debating whether or not apartheid should be abolished or whether or not U.S. policy should be directed at its abolishment. We are all agreed. It should be abolished, and we should follow a policy that promotes its abolition.

I think we are also agreed that our policy should foster peaceful, evolutionary change rather than violent, revolutionary change. Inevitably, the ones caught in the violence of revolution would be those whom we seek to help: the poor, black, colored, and Asian people of South Africa. If change can be brought about without revolution—and I believe it can be in South Africa—it should be.

The question before us today is how the United States can best achieve its policy goals of observance of human rights, dismantlement of apartheid, and peaceful change. The bill before us today would use economic sanctions to promote change. The range of amendments to H.R. 1460 clearly reflects the widely diverging views.

I would like to emphasize that no United States policy should reward the South African Government. But neither should we threaten the progress—slow as it may be—that is being made in South Africa.

Because the emphasis today is on economic sanctions, it is useful—even vital—to consider the effectiveness of economic sanctions in influencing policies of foreign governments in a positive way.

The evidence of precedent indicates that economic sanctions are a questionable means of positive influence. More often than not, they cause a government to intensify the policies the sanctions were intended to discourage. Based on past experience and the characteristics of an influential group of Afrikaners, economic sanctions would provide a rationale for entrenchment of apartheid and an opportunity to convince many white South Africans that change is dangerous rather than the only hope for avoiding violence and revolution. This may well promote eventual revolutionary change, but I do not believe this is or should be our goal in South Africa.

U.S. economic interests in South Africa are unquestionably extensive enough to be a force in South African politics. The question is will we continue to use and expand upon this potential as a positive force for change, or will we reduce our influence by restricting U.S. involvement in the South African economy? Economic sanctions would not break the South African economy, but they would reduce drastically U.S. influence in South Africa.

U.S. economic involvement in South Africa to date has a good record for promoting progress. U.S. business, organized labor, and government policies and efforts were key factors in the South African Government's acceptance of black trade unions, which are a major force for change in South Africa.

Companies who are signatories to the Sullivan principles or who have adopted similar standards also have done a great deal to improve the position of nonwhite South Africans and promote evolutionary change.

About 75 percent of the South African workers who work for a U.S. company work for a signatory to the Sullivan principles.

Ninety-nine percent of the signatory companies report desegregation and 100 percent report equal pay for equal work.

In addition, from 1977 to 1983, Sullivan signatory companies have invested \$78 million in projects for nonwhite South Africans. For example, dollar contributions for black employees in education and training programs increased from \$3.6 million in 1982 to \$6.0 million in 1983. In 1983, U.S. companies also contributed \$2.8 million for education and training programs for blacks who were not employees, and



they contributed \$4.2 million to support black entrepreneurship.

It has been argued that such positive influence and the engagement policy of the Reagan administration should be made more intrusive rather than negated through economic sanctions. At this point I would like to submit an editorial from the *Economist* of March 30, 1985. This editorial argues that the Sullivan and European Community's codes of good employment practice should be extended to cover all foreign employers in South Africa with the aim of directly confronting economic apartheid. We know that economic leverage by a group within a society provides that group with political leverage. We should be working to increase the economic leverage of black and nonwhite South Africans.

#### FIGHTING APARTHEID

What can be done about South Africa? The shootings at Uitenhage on March 21st are yet another rebuff to those inside and outside the country who claim that apartheid is crumbling and that South Africa should now be given "the benefit of the doubt". In themselves, the shootings were an apparently random act of police indiscipline: despite Sharpeville and Soweto, the Afrikaners have yet to learn that it is incompetent policemen rather than evil communists who are the recruiting sergeants of rebellion. Yet the shootings—and the lame excuse used by President Botha to explain them away—should remind the world that South Africa's security machine is not as the government boasts, the shield behind which reform is being expedited. It is an ever higher stockade, lulling the Afrikaners into a belief that real reform can be postponed.

South Africa is still unlike to erupt into full-scale civil war. Those who react to every riot and every act of repression by predicting holocaust are wrong. They tease black South Africans with a false dawn and distort western policies intended to confront apartheid.

The latest distortion is represented by the current disinvestment and sanctions campaign in America. This is intended to bring about an upheaval in the South Africa economy and thus, by some unexplained process, lead the government in Pretoria to abandon apartheid. The evidence, both from other countries subjected to economic sanctions and from South Africa itself, suggests that it would not achieve those goals. It would more probably strengthen the isolationist strain in Afrikanerdom, and its conviction that it stands alone against an ungodly world. It would not break the economy, though it would make life a little harder in a region debilitated by drought and incompetent management (most of all in those neighboring states increasingly dependent on South Africa).

#### STAY IN THERE

Those, including *The Economist*, who disagree with this policy must say what they would put in its place. The "constructive engagement" pursued by the American government since 1981 has offered South Africa the carrot of American friendship as the best way of persuading it to change its ways. It is hard to argue (see our study on pages 17-34) that it has achieved very much. Its ineffectiveness has disillusioned South African blacks. It has comforted the whites who believe that America under President Reagan will always accept apartheid so long

as it can be presented as a bulwark against communism.

Yet it was the overselling of constructive engagement by the Reagan administration that was wrong, not the concept of engagement in itself. This should now be reapplied to the struggle against apartheid where it matters, within South Africa itself. All the posturings at the United Nations, on Massachusetts Avenue or in Trafalgar Square have not done half as much for black advancement as the steady industrialisation of South Africa, much of it through foreign capital and foreign managerial contact. The black struggle has drawn most of its support from just those areas in which foreign companies have been most evident, the industrial districts of the Vaal triangle and the eastern Cape.

Such engagement should now be made more intrusive, not neutered by the empty gesture of disinvestment. The Sullivan and EEC codes of good employment practice can be extended to cover all foreign employers in South Africa; if need be, the companies can otherwise be denied government contracts back home. The aim should be a direct confrontation with economic apartheid: the controls on labour mobility, on black promotion and on housing location. There should be continued pressure to spend on community programmes, student exchanges, education and training, and most important on black trade-union advancement. Such freedoms as still exist in South Africa should be guarded and exploited through international contact and publicity: freedom of the press, of culture, of academic exchange, of the legal profession. The habit that too many cultural and academic institutions have fallen into of boycotting South Africa is a denial of the power of imagination and thought to change minds and bend policies.

These are ways in which liberal and capitalist organisations can, in the course of their normal business, assist the process of change inside South Africa. The aim is to give blacks the economic confidence to force political concessions out of the white government, as they have already done on the union front and may soon do in local government. This, within the limits of what is feasible, is the proper way to confront apartheid—not just to walk away from it.

Mr. DE LUGO. Mr. Chairman, during the course of the public debate on apartheid and U.S. policy, a great deal of emphasis has been placed on black South African attitudes toward U.S. policies and economic investment. Contrary to popular belief, there is no black consensus about how to end apartheid. Black South Africans are far from being a homogeneous or unified group. As a helpful resource in understanding the goals and tactics of various black organizations, I would like to submit for the RECORD at this point "A Guide to Black Politics in South Africa," published by Georgetown's Center for Strategic and International Studies.

[From *Africa Notes*, Georgetown University Center for Strategic and International Studies, Nov. 5, 1984]

#### A GUIDE TO BLACK POLITICS IN SOUTH AFRICA

(By Steven McDonald)

Under the terms of the new constitution approved by the white electorate in November 1983, South Africa's whites-only legislature was replaced on September 3, 1984 by a parliament consisting of the incumbent 178-

member House of Assembly representing South Africa's 4.5 million whites, a newly-elected 85-member House of Representatives for the country's 2.7 million Coloureds (mixed race), and a newly-elected 45-member House of Deputies for the Indian (i.e. Asian) population of some 870,000. The constitution makes no provision for parliamentary representation of the country's 22 million blacks. P.W. Botha, who was sworn in as the Republic's executive president on September 14, after receiving a unanimous vote from an electoral college appointed by the new tricameral parliament, has gained a number of powers beyond those he held as prime minister. These include the right to decide (immune from challenge in the courts) what matters are and are not the "own affair" of any of the three ethnic houses of parliament or a shared "general affair" of the nation. President Botha also has the authority to veto any legislation passed by any house of parliament.

Ironically, the new constitution has caused rifts within and between the white, Coloured, and Indian communities while having an opposite effect on the black majority it ignores. Although an unexpectedly high proportion (66 percent) of white voters approved the arrangement in the 1983 referendum, the Coloured and Indian electorates were less enthusiastic. In parliamentary elections held in late August in those two communities, the official turnouts were just over 20 percent and about 30 percent respectively of registered voters. Moreover, the voting was accompanied by protest demonstrations and school boycotts (at one point 630,000 Coloured students were out of classes). Government officials have blamed intimidation as well as a lack of organization and of "democratic traditions" for the low voter turnout.

Black South Africans, on the other hand, have rallied against the constitution, forging an unparalleled degree of unity on this issue and achieving some notable success in protest politics as they urged their Coloured and Indian compatriots to stay away from the polls. Of course, the durability of this new communality is debatable for a number of reasons—notably, its focus on a single issue, the formidable coercive powers of the South African government, and the government's demonstrated willingness to use these powers (see Section 9 below, and "Destabilization and Dialogue: South Africa's Emergence as a Regional Superpower" by John de St. Jorre in CSIS Africa Notes no. 26, April 17, 1984). Meanwhile, the new restrictions imposed on the freedom of action of externally-based forces of black South African nationalism by the Nkomati Accord and other regional "nonaggression" pacts have also created new pressures and challenges for internal black activists across the political spectrum.

The following is a summary assessment of the organizational structure of black power in South Africa as of the latter half of 1984:

#### 1. THE AFRICAN NATIONAL CONGRESS (ANC)

The ANC is the oldest nationalist organization in sub-Saharan Africa. Its roots go back to early pan-Africanist and nationalist thinkers of the late nineteenth century, many of whom were educated in the United States. Organizationally, it developed from the South African Native Convention which met in 1909 to protest the terms of the draft constitution for South African union following the Boer War. The Convention's protests were ineffective and, in frustration, the South African Native National Congress—subsequently renamed the African National Congress—was formed in 1912.

The ANC's early philosophy was moderate, indeed almost archaic, compared with its present profile. It was founded by professional, middle-class Africans who focused on, according to its 1919 constitution, the use of "resolutions, protests . . . constitutional and peaceful propaganda . . . deputations [and] enquiries" to reach its objectives. These objectives were clearly evolutionary, ranging from demands for "equitable justice" in the 1909 Convention to the All-African Convention's call in the 1930s for "reconsideration" of unjust laws and protests of the removal of Africans from the voters' rolls in Cape Province. The ANC of that era was willing to accept a qualified franchise for blacks based on "civilized" factors such as education, property, or wage qualifications and it expressed its understanding of and concern for the protection of white interests.

Over the years the ANC inexorably moved toward a greater radicalism, from early petition to protest to defiance, then to underground insurgency, banning, and exile. This escalation was due to growing frustration over a lack of any results from peaceful and legal protests (e.g., the failure to block the removal of Cape Africans from the voters' rolls in 1936). The ANC was also stimulated by the post-World War II idealism (in particular the self-determination principles of the Atlantic Charter) and stymied by the coming to power of the Afrikaner-based National Party in 1948 and the implementation of apartheid that followed.

The ANC's 1952 "Defiance Campaign" was the first mass civil disobedience campaign in South Africa. Another effort to broaden the ANC's base was the Congress Alliance, which brought together Indian, Coloured, and white organizations in protest against growing government repression. Certain individual African members of the South African Communist Party (SACP) had participated in the ANC since the 1920s, but played no formative role in its organization. After the SACP was banned in 1950, more white and Indian communists began to involve themselves through the broadening Congress Alliance. The Defiance Campaign itself was an outcome of a decision, initiated largely by the newly-formed Youth League, to begin a program of mass action. The Freedom Charter, issued by the Alliance in 1955, resulted in growing harassment, bannings, and detentions by the government. Thousands of arrests took place as anti-passbook marches, protests, and boycotts increased in number. The long-running Treason Trial of 1956-61, in which 156 persons were charged but ultimately acquitted, was a central event in this era of borderline legality for the ANC.

Following the Sharpeville confrontation in 1960, in which police fired on a nonviolent demonstration, killing 67 Africans and wounding 186, the ANC was banned and went underground. In 1961, its leadership, along with some white and Indian communists, formed a paramilitary sabotage unit called Umkhonto we Sizwe ("Spear of the Nation"). In 1962 and 1963, the Umkhonto leadership, including Nelson Mandela, was arrested. By the end of 1964 the bulk ANC leadership was either in detention or in exile.

For the past 20 years, the ANC has directed its activities from headquarters in Lusaka (Zambia), and has also maintained offices in London, New York, and several other countries. The first decade of its exile was relatively quiescent. By the mid-1970s, however, a low-key insurgency campaign had been launched, consisting mainly of sabotage and attacks on government installations that resulted in only a few fatalities. In the 1980s, the campaign has been

stepped up, becoming more sophisticated and exacting a higher death toll.

The sabotage action against the Koeberg nuclear power station in December 1982 and at the SASOL coal conversion plant in June 1980; attacks on police stations and government offices; and the May 1983 car bombing outside air force offices in Pretoria (at least 18 deaths and 217 injuries) added up to a clear new trend. Guerrilla activities have occurred in all of South Africa's four provinces and in most major urban centers, including Johannesburg, Durban, Bloemfontein, Cape Town, and Pretoria. By these diverse actions, the ANC has sought to demonstrate an ability to strike anywhere and to penetrate sophisticated defenses of critical installations. A rash of bombings throughout the country, concentrated around the month of the Coloured and Indian elections, as well as a major attack on the Mobil refinery in Durban in May 1984, have been intended to send a message. This message is that the "nonaggression" pacts South Africa has signed with Mozambique and Swaziland, and seeks with others, all involving denial of "bases" to the ANC, will not end the movement's effectiveness.

The ANC has always been identified by its adherence to nonracialism in its campaign for political rights in South Africa. The Freedom Charter, which enshrines its basic philosophy, advocates a "South Africa which belongs to all who live in it, black and white." The leadership has publicly spoken against racial confrontation and consistently calls for a "new nonracial democratic South Africa." An irony of this nonracism is that the presence of whites within the ANC command structure, seen by some as an indication of the organization's broad appeal, feeds the South African government's belief that the movement is dominated by the South African Communist Party and by the Soviet Union.

Individual communists within the party hierarchy have considerable influence and played a role in moving the ANC from peaceful protest to greater activism. Since its exile, the movement has received the bulk of its weaponry and much of its training from the Soviet Union and other Eastern bloc nations, a familiar pattern in African and Third World nations confronting minority or colonial ruling groups. (For a discussion of current Soviet views of the ANC, see "New Trends in Soviet Policy Toward Africa" by David E. Albright in *CSIS Africa Notes* no. 27, April 29, 1984, pp. 7-8.)

In sum, the ANC receives more international recognition and media attention than any other black South African organization. The ANC's ability to shape and influence events inside South Africa beyond the pressures exerted through its sabotage campaign, however, will be dependent on internal black perceptions of its various parts; the character of other emerging internal organizations; and the coercive and cooptative powers of the South African government.

## 2. THE PAN-AFRICANIST CONGRESS (PAC)

The PAC was formed in 1959 by a group of ANC members who were uncomfortable with the vague socialism and multiracial approach of the ANC. The thrust behind the PAC's formation derived in part from black suspicions of Indian and white communist activists and their external connections, but the underlying theme of the new movement was a purified form of African nationalism. The founders viewed the ANC Freedom Charter as a betrayal of that principle. While rejecting white alliances, the PAC was also strongly anticommunist. Many members of the ANC Youth League, which

had also been urging a more nationalist line, moved into the PAC over time.

The PAC's founder-leader was Robert Sobukwe—imprisoned in 1960, later released but banned in Kimberley. An intellectual who practiced law after his release, Sobukwe strongly influenced the founders of the Black Consciousness movement (see below). When he died of cancer in 1978, the funeral in his home of Graaff Reinet was attended by hundreds of Black Consciousness adherents as well as old-line nationalists of the PAC and ANC.

After their post-Sharpeville banning, the PAC and the ANC formed an alliance called the South African United Front. This quickly fell apart, however, due to various ideological and personal conflicts. Since then, the PAC, unlike the ANC, has not been able to organize effectively outside South Africa. It has an external structure, with offices in New York, London, Dar es Salaam, and other African capitals, but, especially since Sobukwe's death, has had a weak leadership marked by dissension, including assassination. The PAC has nonetheless maintained considerable support within South Africa, and occasionally launches guerrilla operations, although not on a scale comparable with those of the ANC. The movement has undergone something of a resurgence recently in the general rise of black activism against the new constitution.

## 3. THE AZANIA PEOPLE'S ORGANIZATION (AZAPO)

AZAPO is the political home of the "Black Consciousness" movement and the heir to the organizations that were banned by the government in 1977. Black Consciousness is more a philosophy than an ideology and, while it has always had organizational ramifications, it was never an organization as such. It grew intellectually from the same roots as Pan-Africanism, Negritude, Black Pride, and Black Power. Its development followed a Black Theology group in South Africa strongly influenced by Americans such as Jim Cones and Martin Luther King, Jr.

Black Consciousness began to emerge as an identifiable philosophy in the late 1960s, reaching its peak of public recognition and organizational adherence in the early to mid-1970's. Over time, Steve Biko became its best-known spokesman, although he was only one of many who helped to form and continued to develop the philosophy. Barney Pityana, Ben Khoapa, Mokethi Mothlaba, Mamphele Ramphele, Thoko Mbanjwa, Drake Koka, Saths Cooper, Malusi Mpumawana, and many others played important roles in the movement.

Organizationally, Black Consciousness surfaced first in such student groupings as the South African Students' Organization (SASO) and the South African Students' Movement (SASM)—partly in reaction to white students' groups' efforts to broaden their representation among black students. The political arm, the Black People's Convention (BPC), was formed in 1972 to provide "a political home for all Black people who could not reconcile themselves to working within the framework of separate development, and to promote black solidarity." One of the principles of Black Consciousness was self-help and, accordingly, organizations such as the Black Community programmes, the Ginzberg Education Fund, the Zenophile Clinic, and other community, health, educational, and agricultural schemes were established.

Black Consciousness is generally perceived today, by both its detractors and proponents, as a radical, racially exclusive philosophy. Its roots lie with the PAC rather than the ANC. Current adherents eschew alli-



ances with multiracial groups. Black Consciousness' original philosophy seemed to suggest a less exclusivist policy, focusing on black pride and development and promoting a liberation sequence, i.e., independence of person, then community, then nation. Although it was revolutionary in the sense that it challenged the existing social, economic, and political orders, it was not intended as a denial of a role for whites. Biko saw few whites as potential allies, but he also took the position that "Blacks have had enough experience as the objects of racism not to wish to reverse the tables." Black Consciousness, he said, was "the affirmation of black humans that emancipates black people from white racism and thus provides an authentic freedom for both . . . it affirms the humanity of white people in that it says no to white oppression."

Almost all of the early Black Consciousness organizations were banned in 1977, along with most important Black Consciousness leaders. Black Consciousness was once more represented by a political organization, however, with the formation of the Azania People's Organization (AZAPO) in 1978. Created in Soweto by former members of the Soweto Student Representative Council and the BPC, AZAPO had a low profile during its first years, except for the national attention it received when it worked with Father Patrick Matelengwe and family members in planning the arrangements for Robert Sobukwe's funeral in 1978. There were strong Black Consciousness overtones in the funeral proceedings and an incident having to do with an effort by Chief Gatsha Buthelezi to speak almost resulted in serious harm to the Zulu leader of Inkatha (see Inkatha, Section 4).

Although AZAPO had none of the known Black Consciousness leaders of the SASO/SASM/BPC period within its executive, it became the standard bearer for the philosophy of these groups and has developed a new cadre of leaders as well as bringing old Black Consciousness types back with the formation of the National Forum (see Section 6).

#### 4. INKATHA YENKULULENKO YESIZWE (INKATHA)

Inkatha is a Zulu cultural organization founded in 1928. Its name means a woven grass ring used by peasant women to cushion loads carried on their heads; figuratively, it denotes the cushion between the people and their burdens. The movement remained obscure for nearly half a century until Chief Gatsha Buthelezi revived it in 1974 to sidestep legal repression of political activity. The constitution adopted in 1975 describes Inkatha as a "national cultural movement" that "desires to abolish all forms of discrimination and separation." In more political terms, Inkatha aims to span tribal and urban-rural divisions and to bring change in an "orderly and controllable fashion which will lead to a liberated South Africa which is governable." Although Buthelezi is the chief minister of KwaZulu, the government-designated Zulu homeland, he and Inkatha reject homeland independence and stand for a central, unified South Africa. Inkatha opposes the new constitution and calls for "a national convention" of blacks and whites to discuss the country's future.

Inkatha currently claims over 750,000 dues-paying members, making it the largest black organization in South Africa's history. It is very well organized, with a military-style hierarchy and discipline. It has a Central Committee, chaired by the movement's president (Buthelezi), and regional branches, including township outlets throughout the Transvaal. In KwaZulu (a

12,000-square-mile cluster of land parcels in Natal province), Inkatha has branches operating in most communities, including youth groups in schools and a Women's Brigade. The urban branches are not as tightly controlled, although meetings in Soweto, outside Johannesburg in the Transvaal, are well attended.

Inkatha says it is open to all black people and claims a large multi-ethnic following throughout the country. Secretary-General Oscar Dhlomo recently stated in an interview published in the quarterly *Leadership SA* (Vol. 3, no. 1, 1984) that 40 percent of Inkatha was non-Zulu as early as 1978, and cited an opinion poll result to support that claim. In the same interview, on the other hand, Dhlomo observed that the Zulus are the largest ethnic group in South Africa, that Zulu-dominated Natal is Inkatha's base, and that the organization is thus predominantly Zulu. On balance, despite its aspirations, Inkatha remains essentially a Zulu entity.

Criticism of Inkatha is varied and emotional. Many observers see it as a personal vehicle for the political aspirations of Chief Buthelezi and claim that it would cease to exist without his presence. It is also criticized for using "strong-arm" recruiting tactics in KwaZulu. Many fear its militaristic image, strengthened by Buthelezi's threats against his opponents. The killing of five students at the University of Zululand in October 1983 by Inkatha "impis" during campus protests and clashes added credibility to the concerns of Inkatha's critics.

Buthelezi has a "thin skin" and does not take criticism in stride, thus making Inkatha's attempts to seek a broader constituency and tactical alliances more difficult. Nevertheless, Inkatha stresses black unity and Buthelezi is personally sensitive to that need. In 1976, he formed a group called the Black Unity Front consisting of the leaders of other homelands which had rejected independence and of the (Coloured) Labour Party. The Black Unity Front was expanded in subsequent years to include the (Indian) Reform Party and was renamed the South African Black Alliance. Under its new rubric, this attempt at unification foundered when the Labour Party opted to participate in the elections under the 1984 constitution. Inkatha has now established an alliance (the South African Federal Union) with black businesses, church, and homeland leaders brought together by their shared opposition to the new constitution (see Section 7 below).

Inkatha's relations with the ANC were quite cordial until 1979. Differences in the past five years have centered on Inkatha's rejection of violence and Buthelezi's position of opposition to foreign divestment or disinvestment from South Africa as well as other sanctions. During the early 1980s, personal animosities further weakened the ANC/Inkatha relationship. There was some early contact between Inkatha and the United Democratic Front (see Section 5 below); since the University of Zululand incident and Buthelezi's unwillingness to criticize or investigate it, however, links have been broken and the two groups are openly hostile to each other.

Yet Buthelezi remains a charismatic and dynamic leader, heading a large and powerful organization which, as he likes to emphasize, is self-supporting financially. Because Inkatha is indisputably well-organized, it has an enormous potential for contesting local elections or promoting strikes, boycotts, or work stayaways. Buthelezi is also an eloquent spokesman for black South Africa. Even Steve Biko, who strongly criticized Buthelezi's motivations and tactics, once said to me: "After all, Buthelezi is

black. He knows and lives the problem and can tell the story"

#### 5. THE UNITED DEMOCRATIC FRONT (UDF)

The UDF is the broadest-based of the new political movements. Ideologically, it bears comparison with the ANC; organizationally, it resembles the Congress Alliance of the 1950s. Its birthdate is the year 1983, but its ideological roots are much older.

The UDF has attracted disparate groupings that have ties to the ANC but are uncomfortable with the ANC's exile status or its open advocacy of violence. The UDF has also acquired adherents from among blacks uncomfortable with the post-banning radicalization of the Black Consciousness movement, and with the fact that no internal organization spoke for those who eschewed the exclusivist racial approach but still considered themselves "progressive" and anti-apartheid. (In 1979, for example, at a conference held by the Azania People's Organization [AZAPO], a student wing was formed called the Azania Students' Organization [AZASO]. Black Consciousness was, of course, the central theme for its information, but subsequent attempts to form campus branches ran into difficulties and AZASO began to diverge ideologically from its parent. AZASO's then-president, Joe Phaahla, stated that "a number of students were not prepared to affiliate with a dogmatic approach" and, in 1981, AZASO broke with AZAPO, stating in its new charter that it embraced a broader, nonracial, more progressive outlook. By 1982, AZASO was seeking "to forge links with all relevant organizations concerned with the liberation of the oppressed and exploited people of South Africa [but] to continue to spread the non-racial gospel." AZASO later played a role in the formation of the UDF.)

The UDF seems to have begun to coalesce at a Johannesburg meeting in May 1983, at which 30 organizations representing trade union, civic, and church groups, along with AZASO, came together. The moving forces behind the Johannesburg meeting were the Transvaal Indian Congress, the Transvaal Anti-President's Council Committee, and the Anti-Community Council Committee. This meeting was, in part, inspired by a February 1983 speech by Dutch Reformed Church (Coloured) leader Dr. Alan Boesak, also currently the president of the World Alliance of Reformed Churches. Dr. Boesak had invited various organizations, including sports and civic bodies, to come together for "the struggle for a nonracial, open, democratic South Africa, a unitary state in which all the people will have the rights accorded them by God."

Although the UDF began to take shape in the Transvaal, its appeal rapidly became nationwide. Former ANC supporters and whites, Coloureds, and Indians, as well as Africans not comfortable with the tight ideological parameters of Black Consciousness, rallied to its banner. It was officially launched as a national movement at a convention in August 1983. Some 7,000 to 12,000 persons (estimates vary) representing over 400 diverse organizations met in Cape Town's Coloured township of Mitchell's Plain and pledged to fight "side by side against the government's constitutional proposals and the Koornhof bills." The latter were a set of parliamentary proposals relating to the pass laws, black residential rights, and township municipal powers. The UDF demanded a "true democracy [for] all South Africans" and "a single, nonracial, unfragmented South Africa . . . free of Bantustans and Group Areas."

The front's declared founders and patrons read like a "who's who" of black and white

activists over the years, with a strong ANC flavor. They included Nelson Mandela, Walter Sisulu, Helen Joseph, Govan Mbeki, and Dennis Goldberg as patrons and Archie Gumede, Albertina Sisulu, and Oscar Mpetha as presidents.

Focused on the specific objective of opposing the new constitutional proposals, the UDF outlined a strategy of organizing, mobilizing, and educating to create unity among its followers and "to represent their views and aspirations." Organizationally, the UDF has a National General Council, but is decentralized into at least five regional bodies. It is essentially an umbrella organization. Individuals do not join directly but only through an organizational entity. Membership is claimed to be as much as one million people affiliated to 560 organizations.

The UDF actively lobbied among whites against the "yes" vote prior to the November 1983 referendum on the constitution; successfully campaigned against black participation in the December 1983 municipal council elections, holding the turnout down to some 10 percent in several townships country-wide; has regularly held rallies and distributed literature on such occasions as the anniversaries of the Sharpeville shootings and the Soweto-sparked upheavals of 1976; has spoken out on issues such as the Strydom Committee's recommendations on the Group Areas Act and on relocations; effectively mobilized (the government says through intimidation) opposition to the participation by Coloureds and Indians in the August parliamentary elections; and, during the election and post-election unrest in several black townships, organized medical, legal, and nutritional assistance for victims.

The UDF has also appealed to the international community for recognition and publicity. Dr. Boesak frequently travels abroad and speaks often about the UDF. In April 1984, the UDF Transvaal general secretary, Mohamed Valli, went to the United States, Canada, and Europe, and visited the United Nations, in search of "moral [and] political support [to] strengthen our hand internally."

Much of the UDF's rhetoric comes from the ANC Freedom Charter, which, ironically, the South African government has recently allowed to be distributed in the country. Although the UDF openly claims connection with many ANC members and includes in its ranks the Release Mandela Campaign group, statements made for public consumption by UDF officials disclaim any ANC organizational ties. There are differences with the ANC on a number of points—most notably over the use of violence—and some supporters, as noted above, may have come to the UDF out of frustration with the ANC. National Publicity Secretary Patrick Lekota, a former Black Consciousness activist, and other UDF supporters such as Winnie Mandela emphasize that the UDF is not meant as a substitute or rival for "accredited liberation movements" and that it is merely an "alliance of first-level organizations." Certainly many of its affiliates and supporters who are white or who have Black Consciousness roots would not welcome overt connections with the ANC.

Whether the reluctance to admit past or present ANC linkages is due to the factors cited publicly or merely an elaborate facade to avoid legal crackdowns arising from the ANC's banned status is difficult to determine. In any case, the UDF seems to be acquiring a life of its own. Even taking into account Lekota's emphasis on the umbrella nature of the organization, the sheer numbers and the focus on clear-cut tactical objectives warrant attention. The UDF now

has a national, salaried executive, publishes literature, and has an efficient, democratic national structure that allows its members to vet policy issues thoroughly and recommend action. It works through affiliate members or empathetic white liberal organizations in establishing grass-roots community contact points.

The UDF is currently considering its strategies for what one official recently called the "ongoing struggle against the new system after its formal inauguration." Recent interviews with UDF leaders indicated that these "strategies" were not yet decided upon and probably would be defined by the membership. Still, the UDF's future is uncertain, largely because of possible government pressures (see Section 9) and because of the unattainability of its objectives in the foreseeable future, which creates built-in obsolescence or self-destructive tendencies.

#### 6. THE NATIONAL FORUM (NF)

The second and smaller black group formed to fight the new constitution is the National Forum. AZAPO, the moving spirit behind the NF, launched the organization at a meeting in Hammanskraal, north of Pretoria, in June 1983. The declared purpose was to bring together blacks in opposition to the constitutional proposals, the same dynamic that produced the UDF, but under the banner of Black Consciousness. Over 800 persons representing some 200 organizations reportedly attended. They included several prominent black, Coloured, and Indian leaders—for example, Bishops Desmond Tutu and Manas Buthelezi, Saths Cooper, and Neville Alexander. The meeting took on racially exclusive and strong socialist tones which were reflected in the National Forum's manifesto. In stark contrast to the UDF's attempt at a broad, nonracial appeal, the NF manifesto declared opposition to "the system of racial capitalism which holds the people of Azania in bondage for the benefit of the small minority of white capitalists and their allies, the white workers and the reactionary sections of the black middle class." It further called for control by workers of the "means of production, distribution, and exchange" and stated that "the struggle against apartheid is no more than the point of departure for our liberation efforts."

The National Forum has been far less vocal and visible than the UDF. It does not appear to have a permanent organizational structure, and its strident rhetoric has dampened the enthusiasm of its more moderate supporters. Indeed, several have chosen to link themselves informally with both the NF and the UDF but affiliate with neither. While many veteran Black Consciousness stalwarts such as Hlaku Rachidi and Saths Cooper have helped organize the NF, many others (e.g., the former AZAPO President, Curtis Nkondo) have either joined the UDF or maintained a neutral position. AZAPO remains the NF's most important component but, in recent commemorative meetings and press interviews, AZAPO leaders have not mentioned the NF.

Although the NF has divided some groups (for example, a delegation walked out of the Black Consciousness-based Media Workers' Association of South Africa in January 1984 over the issue of white participation and UDF affiliation), it still has a credible constituency because it represents an important group of mostly young, student-age activists who see themselves as heirs to the Black Consciousness movement and are impatient with the perceived moderate ways of their elders, including the ANC and the UDF. Significantly, the PAC, which shares the NF's philosophy and has been quiescent for so

long, seems to be experiencing a modest revival in its influence in Black Consciousness circles.

#### 7. THE SOUTH AFRICAN FEDERAL UNION (SAFU)

An unexpected entry into the anti-constitution forces was a moderately conservative black coalition initially launched in August 1983 as the Movement for National Unification and later calling itself the South African Federal Union. SAFU is philosophically akin to the now-defunct Black Unity Front and South African Black Alliance led by Chief Gatsha Buthelezi. Buthelezi played a key role in SAFU's formation, but the impetus for such an organization also came from senior officials of the National African Federated Chamber of Commerce (NAFCOC), a moderate grouping of black entrepreneurs and businessmen with a large national membership and led by the respected banker and businessman Sam Motsuenyane. The Union includes all the chief ministers and chief executive councillors of the nonindependent homelands, Chief George Matanzima of "independent" Transkei, representatives from the Interdenominational African Ministers' Association of South Africa, and officials from the United Councils Association of South Africa, a group representing municipal councils.

Although SAFU appears to have made little impact so far and faces considerable black animosity because of the homeland connection, its very existence in opposition to the constitution and in support of a national convention and "the establishment of a greater South Africa" underscores the extent to which the government's constitutional change has galvanized the black community as a whole.

#### 8. TRADE UNIONS

Black trade unionism has become a new force in recent years—a force that many observers believe could, in the long run, have far greater impact on the rate and direction of change than any or all of the political groups on which attention is now focused. A series of illegal strikes carried out in 1973 by black industrial workers in Durban, followed by a number of government concessions (including new minimum pay scales for urban workers, a limited legal right to strike, and open recognition of the need for more technical training opportunities for black workers) helped set the stage for some watershed events of 1979. These were the publication of the report of the Wiehahn Commission of Inquiry into Labour Legislation, and action by parliament to amend the Industrial Conciliation Act to allow black workers to join registered labor unions if they are permitted to live with their families in urban areas. The government by ministerial action later extended this right to commuters and migrants for an indefinite period.

Despite increasing government surveillance and harassment of specific union leaders and unions it perceives to be involved in politics, new unions and union groupings continue to multiply among black workers. In recent years this growth has been phenomenal, with a 200 percent surge in black membership between 1980 and 1983 (from 220,000 to 670,000). The black trade union movement's potential for forcing change on the shop floor, in management attitudes, and in the economic structures of South Africa cannot be underestimated. (See, for example, *Black Trade Unions in South Africa* by David Hauck, published by the Investor Responsibility Research Center, Washington, D.C., in 1982.)

Many unions, taking a long-term view, try to avoid political or quasi-political demands and focus on the immediate priorities of



shop floor organization and creation of a national trade union federation to protect rights gained. Most major union groups will speak out on specific issues such as the Industrial Court system or certain broader issues (bannings, detentions, black unity). Others have become actively engaged in the current political groupings. The UDF, the National Forum, and even Inkatha claim some union support. In the case of the UDF, such major trade union groups as the Council of Unions of South Africa (which includes the National Union of Mineworkers), the South African Allied Workers Union, the Motor Assembly and Component Workers Union of South Africa, and the General and Allied Workers Union have affiliated; in some cases, however, all their member unions may not have been consulted. Several groups, notably the Media Workers Association of South Africa, have been divided over affiliation.

#### 9. WHAT LIES AHEAD?

While there has been a dramatic convergence of black opinion in South Africa on the constitutional issue, serious divisions remain. The ANC-PAC relationship is reflected in the groups they have ideologically spawned. The UDF publicly denies ANC connections, but openly calls its members "charterists." Although there is no clear evidence of PAC organizational involvement in the National Forum or AZAPO, blacks supporting those groups openly talk of the PAC and there may be crossover membership.

The PAC's public support of the National Forum was illustrated by PAC Chairman John Pokela's prediction in an interview with *New African* (London, May 1984) that the NF had "the best chance of succeeding" while the UDF "embraces all shades of multiracialism [and contains] constituents [which are] enemies of the Azanian African majority. . . ." Meanwhile, the ANC's Oliver Tambo, in an interview with the same publication (April 1984), took the position that "the mass opposition of our people . . . united today in the ANC, the UDF, the trade unions, the youth and women's movement without regard to ethnicity, race and color" is throwing the government's plans into "a crisis."

These divisions have other antecedents beyond the historical ANC-PAC relationship. With the PAC in eclipse throughout the 1970s, the ANC had taken on a predominant role as the external representative of South Africa's blacks. Black Consciousness advocates and student activists would not dispute that point, but many of them take exception to ANC misrepresentations of certain interval events in the mid-1970s. Student leaders were especially angered in 1976-77 by ANC claims that the widespread civil protests and resulting clashes with authorities that began in Soweto were orchestrated or inspired by the ANC. Some of this anger was based on ANC-Black Consciousness ideological differences, but it also reflected a human aspiration to be understood and credited properly. In addition, there was concern that the focus on the ANC had the effect of fueling government "communist onslaught" propaganda, thus allowing Pretoria to side-step dealing with the specific grievances that precipitated the protests.

We are also witnessing here a syndrome that has recurred again and again among externally-based ("exile") political organizations in Africa. The ANC and PAC are both victims of their distance from their constituencies. Although there is little doubt about the ANC's growing presence within South Africa in recent years, it does not necessarily follow that this growth reflects a strong allegiance to the external ANC of Oliver Tambo. Notions of the ANC among blacks

within South Africa are often of a resurgent Nelson Mandela and Walter Sisulu. Restrictions on domestic press coverage of banned organizations are, of course, a factor contributing to the limited identification with the less familiar exiled leaders.

In the face of these deep divisions, recent bridge-building successes warrant a closer look. The fact that the motivation for the formation of the UDF, the NF, and the South African Federal Union has been opposition to the current constitutional process rather than any perceived need for reconciling ANC-PAC-Black Consciousness ideologies would seem to be a positive development.

Another straw in the wind is the urging by a significant range of major black leaders of a *modus vivendi* between the UDF and the National Forum. Dr. Nithato Motlana of Soweto's Committee of Ten and Bishops Desmond Tutu and Manas Buthelezi are among those who have tried to interact with both groups. Several Black Consciousness leaders—including Dr. Mamphela Ramphele, Zwelake Sisulu, and Curtis Nkondo—have also attempted to keep the public rhetoric conciliatory. Even Ish Mkhabela of AZAPO has stated: "We do not see divisions among the oppressed. We are one . . . [The UDF] have their weaknesses and, in the long term, are fraught with dangers and pitfalls (but) AZAPO is prepared to be part of a principled unity with any organization engaged in the struggle." AZAPO's Secretary Muntu Myeza has been quoted in the press as having said that AZAPO was not "in opposition [or] antagonistic" to the UDF because "we all ultimately have the same objective." Winnie Mandela, a key figure in any unity move, supports the UDF, but is also popular with Black Consciousness. She dismisses the differences between the groups as relatively unimportant and says she is "cheered" by developments, characterizing the constitution as the "best unifying factor" in years for blacks.

Meanwhile, the government has not been idle. The first few months of the UDF's and NF's existence were relatively trouble-free, with a short detention of one UDF official and the banning of several meetings. Monitoring has escalated as these groups have demonstrated more appeal and clout. AZAPO offices and the homes of at least 41 of its members in various parts of the country have been raided. In Johannesburg, documents, typewriters, files, filing cabinets, and other office equipment were confiscated in May 1984.

As its campaign against the elections began to prove effective, the UDF also felt the sting of official sanctions. This began with the arrest of representatives of at least 44 affiliates at an anti-apartheid rally in Durban on June 23, 1984, and several other isolated incidents. After the low Coloured turnout for the August 22 poll, but prior to the Indian elections, authorities detained 47 UDF leaders along with 152 others participating in protest actions. Fifteen of those UDF leaders were still being held as of late October under Section 28 of the Security and Terrorism Act, which is a preventive detention clause allowing for six months detention without charge or legal access.

It appears that the government was initially cautious in its approach to the UDF, possibly wishing to avoid a repetition of the kind of world condemnation that followed the 1977 bannings and detentions of Black Consciousness leadership. The effective election protest of the UDF has hardened the government's attitude, although the detentions appear not to have been universally agreed upon within the cabinet. Many UDF officials and informed observers are openly worried about a possible banning of

the organization or, more probably, some of its affiliate groups and key leaders. In the wake of the recent township disturbances, Minister of Law and Order Louis Le Grange has stated that the UDF has the "same goals" as the ANC and the South African Communist Party and is "creating a revolutionary climate" in South Africa.

How the government deals with the UDF-NF phenomenon in the months ahead will, of course, dictate to a great extent whether the new sense of shared purpose represented in these organizations can be sustained long enough to confirm the existence of a meaningful political force beyond the limited and transitory objectives that brought so many diverse elements together in 1983 and 1984.

Whatever the future holds, the emergence of national organized political entities, the first since the 1950s, must be regarded as a landmark in South Africa's evolution. Given the heightened politicization of urban (and also homeland) blacks that has resulted from the constitution issue, even moderates are now impelled to speak out, organize, or join alliances in opposition to a new law of the land that ignores their existence.

(Steven McDonald received his Master's degree in African politics from the School of Oriental and African Studies, University of London. From 1970 to 1979, he was a career Foreign Service Officer in the U.S. Department of State. His diplomatic service was exclusively within the Bureau of African Affairs and included two postings in Africa—as political officer in Kampala, Uganda (1971-73) and in Pretoria, South Africa (1976-79). He was country officer for Angola and Mozambique in Washington from 1973 to 1975. Earlier in his career, he was an aide to Senator Stuart Symington of Missouri. Since 1982, Mr. McDonald has been executive director of the United States-South Africa Leader Exchange Program (USSALEP), a multiracial organization established in 1958 and composed of distinguished Americans and South Africans who share a dedication to keeping lines of communication open among and with all elements by whom South Africa's future will be shaped. USSALEP's governing body is a multiracial unitary council of approximately 25 South Africans and 25 Americans representative of a wide range of opinion in both countries.)

Mr. Chairman, regarding black attitudes toward U.S. policy, a recent survey of black South African production workers found that 75 percent overall—and 71 percent of those employed by U.S. companies—supported the constructive engagement argument, while 25 percent—or 29 percent of U.S. company employees—supported the disinvestment/boycott position.

Several black leaders, including Zulu Chief Buthelezi, have expressed opposition to disinvestment, while several others support disinvestment or sanctions. In a *Wall Street Journal* editorial on February 20th of this year, Chief Buthelezi argued that—

It is in the circumstances of a rapidly expanding economy, where the interdependence of black and white is vastly increased, that the propensity of the country to change is enhanced. Black vertical mobility is concomitant of economic growth.

Chief Buthelezi also points out that the role of big business in South Africa has changed. I quote:

It was the large corporations that broke the apartheid barriers that led to real advancements for black workers . . . Progressive managements talking, dealing and negotiating with workers hastened the day of black trade union recognition.

He goes on to say that—

It is big business that keeps institutions such as the Institute of Race Relations alive, and it is very often big business that provides the financial muscle to challenge the government in the courts on civil rights issues, on labor issues and on contradictions and ambiguities in law; and it is international capital that can back educational and development programs.

Chief Buthelezi's conclusion regarding economic sanctions is that "in the circumstances that now appertain, withdrawal of investments in South Africa by Americans is a strategy against black interests and not a punitive stick with which to beat apartheid."

Mr. Chairman I would like to submit the full text of Chief Buthelezi's editorial for the RECORD:

[From the Wall Street Journal, Feb. 20, 1985]

**DISINVESTMENT IS ANTI-BLACK**  
(By Mangosuthu G. Buthelezi)

In the struggle for liberation any black leader worthy of the title recognizes that the responsibility for bringing about radical change in South Africa rests on black shoulders. It is a South African struggle, and blacks have to lead in that struggle until we pass the point where the drive for improvements becomes nonracial. We have to shape events in our own chosen direction, and we have to fashion our society after the models that we ourselves emulate.

It must not, however, be forgotten that in life and death situations decency is so often under siege. Bloody revolutions fought against terrible oppression do not automatically bring about great improvements. Decency in South Africa is under siege at the moment in the sense that decency and democratic nonviolent opposition to apartheid are under threat by white recalcitrance, which is polarizing society and driving blacks to despair and anger. Decency is also under siege in the sense that time-honored civilized values and Western democratic principles are being viewed as impotent by an ever-increasing number of blacks. The struggle for liberation in South Africa still could take ugly turns; the prospects of widespread devastation of property and a sharp escalation of violence leading to a race war remain an ever-present possibility.

**NEED ALL-PARTY ATTEMPT**

It is against these background thoughts that I ask Americans to consider attitudes toward investment in South Africa, and attitudes toward President Reagan's constructive engagement policy. As a black leader I cannot be jubilant yet about the Reagan administration's South African policy. We don't know yet what deeds will be added to words, but we are aware that sufficient political time has not passed for anybody to make judgments on Mr. Reagan's approach to South Africa. As a black leader I must welcome his attempt to formulate a South African policy for the first time in the U.S.'s history, even if it has not yet been demonstrated that the U.S. government and the American people have the will and the ability to take South African issues out of U.S. party politics. Black South Africans still don't know whether petty politicking between Democrats and Republicans will turn

apartheid into an American political football for party gain.

I make the point that for the U.S. the South Africa situation is distant and unimportant. The remoteness of South African issues from the daily vested interests of U.S. citizens does not demand that any U.S. government make more than vague moral pronouncements on what should and should not be happening in my country. The South African issue, however, does challenge Americans' moral fiber and the U.S.—as the world's leading democracy—should make an all-party attempt to side with the oppressed in South Africa.

This thought, however, does not belie the fact that medium and long-term economic developments in South and Southern Africa have implications for U.S. interests. South Africa after liberation will be a great gateway to the African hinterland where the process of industrialization must inevitably be talked of in terms of many millions of dollars. At this juncture, however, the immediate challenge to the U.S. is a moral challenge.

If we are to avoid a destructive conflagration of forces in South Africa, the process of change in the country must be speeded up. I fail to see how those who agree with this statement can possibly talk of our effective economic isolation. Isolation will bring stagnation to the economy and perhaps even destroy its growth base. Yet it is in the circumstances of a rapidly expanding economy, where the interdependence of black and white is vastly increased, that the propensity of the country to change is enhanced. Black vertical mobility is a concomitant of economic growth. Anybody who knows anything about a society such as ours will know that the ceilings that apartheid imposes on this vertical mobility, produce the rubbing points that mobilize opposition to apartheid where it is most vulnerable.

Apartheid has lined white pockets and succored white privilege. When white privilege and standards of living are threatened through the prosperity of blacks and there is a rising claim to recognition, then the prospects of negotiated advances are the greatest. While protected by a wide range of apartheid measures, big business in South Africa has for decades sided with the oppressor and exploited black South Africans unmercifully.

That era has passed. No big business today can secure future plans without challenging apartheid. It was the large corporations that broke the apartheid barriers that led to real advancements for black workers. Ford Motor Co.'s bold indenturing of black apprentices against the law hastened the day when job reservation had to be abandoned. Progressive managements talking, dealing and negotiating with workers hastened the day of black trade-union recognition.

It is big business that keeps institutions such as the Institute of Race Relations alive, and it is very often big business that provides the financial muscle to challenge the government in the courts on civil-rights issues, on labor issues and on contradictions and ambiguities in law; and it is international capital that can back educational and development programs. For large American companies to opt out of the South African situation is to opt out of the prospects of being catalysts in the process of change.

Increased economic investment in South Africa by U.S. companies associated with a U.S. constructive engagement policy with real meaning is a moral option that the U.S. now has. In the circumstances that now appertain, withdrawal of investments in South Africa by Americans is a strategy against

black interests and not a punitive stick with which to beat apartheid.

**LIFE AND DEATH DIFFERENCE**

There is a great deal of genuine interest in South Africa among many Americans, but I really am fearful that the upsurge of the current debate on the disinvestment issue and on Mr. Reagan's constructive engagement policy is in part fired by Americans for Americans on American issues. Apartheid should be more than some kind of looking glass in which Americans see themselves. Apartheid is real; it is out there and millions of black South Africans suffer indescribably under it. Americans should profess a humanitarian approach to the question of what the U.S. should do about apartheid. To stand on American indignant principles by withdrawing diplomatically and economically from South Africa is a luxury that the vastness of American wealth could afford. But indulgence in that luxury for the sake of purity of conscience, whatever genuine motives produce that conscience, would do no more than demonstrate the moral ineptitude of a great nation in the face of challenges from a remote area of the globe.

Black South Africans have to confine their options to realities, and we have to seek to bring about radical change in such a way that we do not destroy the foundations of the future. More than 50 percent of all black South Africans are 15 years old or younger. A huge population bulge is approaching the marketplace. To greatly exacerbate unemployment and underemployment, and to greatly increase the already horrendous backlog in housing, education, health and welfare services, would be unforgivable. Millions of black South Africans already live in dire squalor in squatter areas and in shantytowns. Jobs make the difference between hunger and starvation and between life and death. For Americans to hurt the growth rate of the South African economy through boycotts, sanctions and disinvestment would demonstrate a callous disregard for ordinary people, suffering terribly under circumstances that they did not create, and would be a gross violation of any respect Americans may have for the principle that people should be free to exercise their rights to oppose oppression in the way they choose. Black South Africans do not ask Americans to disinvest. The strident voices calling for confrontation and violence are the voices most dominant in calls for disinvestment.

(Mr. Buthelezi is hereditary leader of the Zulu people of South Africa.)

Mr. Chairman, while economic sanctions are of questionable value, U.S. economic involvement in South Africa has been a positive factor with a potential for increased influence for change. It does not make sense to relinquish that potential in order to make a grand but ineffective gesture.

U.S. policy in South Africa can either be a force for evolutionary change or revolutionary change. Increasing economic dissatisfaction combined with unfulfilled political demands are a threat to any peaceful evolution in South Africa. As expressed by Chief Buthelezi,

If change is ever achieved in South Africa through violence, we will find that the foundations of the future will have been destroyed in the course of liberating the country . . . For the vast majority of blacks, the struggle has always been for inclusion in the existing South Africa; it has



always been a struggle to transform the state rather than destroy and rebuild it.

Mr. Chairman, I encourage all of my colleagues to carefully consider the effectiveness of economic sanctions. To look beyond the political rhetoric to the effects of such a policy. We should not recklessly approve a policy without giving careful and thorough consideration to its effects.

Mr. Chairman, at the appropriate point in our consideration of H.R. 1460, I will offer an amendment to the section that would ban the importation of Krugerrands into the United States. My amendment would allow Krugerrands to be imported, but it would require that they be registered upon entry. A nominal fee of 5 percent would be charged to cover the costs of registration. Any amounts remaining after covering the costs of registration would be used to finance scholarships for black and other nonwhite South Africans.

This amendment offers a positive way of dealing with the sale of South African Krugerrands in the United States. We would be able to use their importation to support the most effective means of achieving peaceful, evolutionary change: education.

I urge my colleagues to support this amendment and other perfecting amendments to H.R. 1460, so that the black population of South Africa will not be held hostage to change in the white South African Government.

Mr. MITCHELL. Mr. Chairman, I yield such time as he may consume to the gentleman from Maryland [Mr. BARNES].

(Mr. BARNES asked and was given permission to revise and extend his remarks.)

Mr. BARNES. I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of this legislation.

[Mr. BARNES addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.]

Mr. MITCHELL. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. BERMAN].

(Mr. BERMAN asked was given permission to revise and extend his remarks.)

Mr. BERMAN. I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in support of the Anti-Apartheid Act.

After 4½ years, President Reagan's policy of constructive engagement has proven to be neither. Mr. Reagan's policies have brought no constructive improvement in the lives of South Africa's black majority. Those policies have failed to engage Pretoria in talks with this country that effectively communicate our disgust with apartheid and the importance we attach to serious negotiations between South African black leaders and the government there.

Mr. Reagan's policies have instead convinced the South African regime

that it could continue its repression of black South Africans without fear of retaliation by the U.S. Government. Confident that the U.S. Government would not impose sanctions, the South African Government has refused to hold serious negotiations designed to end apartheid peacefully.

This bill sends a strong message to the South African Government that we will no longer tolerate the repression of nonwhites in that country.

This bill will cut off the South African Government from the economic and technical support that keeps apartheid alive.

Mr. Chairman, the American people will accept no less. The protests before the South African embassy here in Washington, and at consulates of the South African Government in cities around the United States, reflect how strongly our people feel about this.

City governments—including the government of my home city of Los Angeles—have begun to take steps to disinvest from the South Africa. Many universities have taken similar steps and others—including the California State university system—are under pressure to follow suit.

Now is the time for the Congress to take action. This bill is the best and strongest means we have to bring about changes in South Africa.

As the author of the provisions banning computer sales to South African Government agencies, I would like to take a moment now to outline the importance of this ban.

Computers make possible the South African Government's control over every detail in the lives of South African blacks. From the age of 16, every black must carry a passbook. The passbook will be a constant companion for the rest of their lives. It contains information indicating where its possessor may live and where he may work, whether he may live with his family or whether the Government has ordered him separated from his family.

The South African Government maintains detailed dossiers on each black in that country, and periodically checks the passbook information with the information it maintains in its computers. Such passbook enforcement is the most basic and intrusive means of repression.

The Government maintains thorough information on its opponents. It bugs their telephones, records their private conversations, monitors their movements through surveillance by police and their informants.

Computers are used to collect, retrieve, and employ this information in the repression of those who fight to eliminate apartheid.

Computers have allowed this suppression of dissent to continue. Computers aid in the subjugation of the 73 percent of the country's population that is black by the 15 percent who are white and in power. Computers make it possible for the Government to continue enforcement of apartheid even

in the face of a white manpower shortage.

Computers allow that repression to continue—and to be intensified. Pass law arrests doubled between 1980 and 1982. Political detentions have increased sharply this year. Armed with more thorough and more readily available information, the Government has accelerated the removal of whole communities from areas traditionally occupied by blacks, but which the Government now wants to declare off-limits to nonwhites.

Those are American computers. U.S. companies supply 70 percent of all computers sold in South Africa.

The only way that we can insure that no American computers are used to enforce apartheid is to take computers out of the hands of all South African Government agencies.

IBM reports, regarding its operations in South Africa, and I quote " \* \* \* it would be misleading to suggest that any manufacturer can control how its products are used."

Computers made by IBM, Burroughs, NCR, Mohawk Data Sciences, Data General, and others have been used by national and local South African agencies to enforce apartheid. Many have been purchased through the Government's central purchasing agent, the State Tender Board. It is all but impossible to track the use of an American computer once it has been sold to the central purchasing office.

Let's not fool ourselves into believing that somehow we can segregate the good agencies of the South African Government from the bad agencies, ban sales to the bad ones and exempt the good ones from the ban. This issue is too serious for such self-deception.

□ 1730

Mr. MITCHELL. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. LANTOS].

(Mr. LANTOS asked and was given permission to revise and extend his remarks.)

Mr. LANTOS. Mr. Chairman, I rise with a profound sense of revulsion against the practice of apartheid and in the strongest possible support of this legislation.

We debate many issues in this Chamber, and there are lots of good arguments for and against legislation, and there are lots of gradations and shadings and points of view and perspectives—but not on this issue. If there is any moral issue that comes before the House in 1985, it is this issue.

It is significant that every single one of our colleagues from the Black Caucus is passionately committed to this issue. It is they who bleed emotionally and morally and in terms of principle on this issue. We are not debating the importation of automobiles from Japan, we are not debating bruised egos; we are talking about the

fact that every single little baby born in South Africa who has a different pigmentation from mine is put in an untenable, inhuman, disgraceful, outrageous position. That is the issue. This proud democracy must stand up and send a symbolic message.

This legislation is a very pragmatic piece of legislation, but if it had no pragmatic impact, it has a powerful symbolic impact. Krugerrands are not just little gold coins; they are the symbol of institutionalized racism. The Krugerrands of today are the equivalent of the swastikas of World War II, and I beg of my colleagues to join us in supporting this legislation.

Mr. Chairman, this Congress must stand tall and approve this anti-apartheid legislation.

Mr. WYLIE. Mr. Chairman, I yield 4 minutes to the gentlewoman from Maine [Ms. SNOWE].

(Ms. SNOWE asked and was given permission to revise and extend her remarks.)

Ms. SNOWE. Mr. Chairman, I rise in support of this legislation. I realize that there are some who claim that we should not take the extraordinary steps in this bill to restrict future U.S. investment in South Africa, and to impose other sanctions on U.S. economic support for South Africa. I agree that we should be responsible in our approach to the problem of South Africa—and I believe this bill is exactly that—if there ever was a country that deserves to be treated differently, it would be South Africa. South Africa is the only country in the world with an official legal code denying the majority of its citizens their most basic human and civil rights on the basis of race. I believe that we must make absolutely clear our abhorrence at South Africa's apartheid policy and make clear our determination not to participate in any way with its continuation.

In the emotional debate that is likely to go on today, there are several things that I believe we should keep in mind. First, this bill would not disinvest U.S. holdings and investments in South Africa. What it would do is prohibit new U.S. investments, and prevent new shipments of South African gold coins to the United States. I do not interpret this as "cutting and running," although perhaps the United States should consider disinvestment at some point if genuine progress in South Africa is not made. But at this time, I believe this bill's approach is measured and appropriate.

Second, the current policy of constructive engagement is inadequate and actually serves to limit our ability to influence what happens in South Africa. I believe the administration has carried out this policy with sincerity and the best of intentions. But the policy has a fundamental flaw. Constructive engagement forecloses the possibility of sanctions and depends only on positive persuasion in the effect to shake the very foundations of the South African state. The best

that such an approach can do is to achieve cosmetic changes in the implementation of apartheid.

One example is in the area of compliance with the Sullivan principles by U.S. businesses in South Africa. I am aware that this bill does not address the issue of mandatory compliance with the Sullivan principles, and that this is an issue for other legislation. But the administration, to its credit, has worked very hard to try to persuade U.S. business to voluntarily comply with the code. But the last audit by Arthur Little & Co. revealed that the number of U.S. companies claiming to comply with the Sullivan principles has actually dropped in the past 2 years, and the compliance record of those who have signed is still spotty. If the administration had informed the companies that it would seek legislation from Congress making the code mandatory if they did not voluntarily comply, I think we would see a very different record for compliance today.

By now, it must be apparent that friendly persuasion and diplomacy are not going to change the minds of those in South Africa who have worked for four decades to develop a police state able to enforce the elaborate and brutal system known as apartheid. Perhaps, as some claim, the approach taken in this bill will not end the bunker mentality of the Afrikaners, and will not lead to the abolishment of apartheid. If this is true, however, I suspect that there is nothing the United States can do that would make the crucial difference. But we should take this step if for no other reason than out of respect for racial equality and our own values.

We must keep in mind through all the discussion on the possible use of U.S. influence and leverage with the Government of South Africa, one indisputable fact stands out: there must come a time, when, the United States decides that we have done all we are willing to do in trying to work things out with a government that maintains itself in power only through a reprehensible and repugnant policy. How can we subordinate the obscenity of apartheid to any other dealing we may have with South Africa? I believe the answer is simple: we cannot. There may be some still who say that after 40 years the South Africans deserve more time, but I say that now is the time to start treating our relations with South Africa in a way that is fundamentally different.

The present policy of the carrot without the stick lulls the minds of those in South Africa who want to think that apartheid can continue. Four decades ago, when South Africa's representative to the U.N. vowed to Eleanor Roosevelt that apartheid would continue "forever," Eleanor Roosevelt replied that "forever is a long time." But now at last the pressure for real change in South Africa is building. With this bill, we will rivet the atten-

tion of South Africa's leadership and, make them realize just how short the time is.

If we fail today to apply meaningful sanctions, we will allow the South African leadership to dream on about apartheid's blissful eternity. At the same time, we will reinforce the growing resentment in South Africa's black majority toward the United States. Very little may be certain in South Africa, but one thing we may be sure of is that some day, in some way, South Africa will have majority rule.

Rather than postponing action once again to give South Africa one more chance, let us take this opportunity to speak with a clear, strong voice, and to act on our conscience. We have tried ignoring the problem, and it did not go away. We tried Constructive Engagement, and it has not worked. Now, is the time for sanctions. As we proceed with consideration of this bill, I hope this body will take an action that will end the process of merely condemning apartheid, and will begin the process of putting our words into deeds.

Mr. MITCHELL. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DYMALLY].

(Mr. DYMALLY asked and was given permission to revise and extend his remarks.)

Mr. DYMALLY. Mr. Chairman, I rise in support of H.R. 1460.

The arguments used against this piece of legislation center around the question of jobs. Let me say that there is no struggle without sacrifice. When the men and women of this country, black and white, left these shores in the 1940's to fight against the spread of Nazism, no one said, "I've got an assembly-line job in southern California" or "Detroit." They gave up their jobs. So if jobs are the sacrifice that black South Africans must make, then so be it.

Black South Africans are at war against apartheid. They are at war against racism. They are waging a moral, a spiritual, and a legal war, and soon they may wage a military war against apartheid. Therefore, to use the issue of jobs is to me an irrelevant and unnecessary argument.

My colleague, the gentleman from Indiana [Mr. BURTON], likes to equate this whole issue of apartheid with communism. Communism strikes at the political and economic class system. Apartheid strikes at the gestalt psychology of the black men and women of South Africa. It strikes at their soul. It is a humiliating experience. It is a system based on racism, not just politics, not just economics, not just class, but specifically racism, and directed not against whites but directed against blacks. So it is not fair to equate the whole question of communism, which I abhor, too, as does the gentleman from Indiana, with the question of apartheid. They are two separate and distinct issues. One demoralizes and humiliates the racial



soul of the person; the other one deals with the question of class.

Mr. Chairman, in this era of peace and prosperity for the United States, there are few political issues which enrage the electorate. South Africa's apartheid policy is one of those issues. I need not berate my colleagues on the evils of this violent system of legalized racism. We are all familiar with its ugly realities. President Reagan, on the other hand, does not share our revulsion. This is disturbing, for it indicates a certain tolerance for racism. Based on anticommunism and a fear for the future, Mr. Reagan continues his policy of constructive engagement with South Africa. Stressing that the political spokesmen for the black majority are too radical, too disparate, and too disrespectful to American business interests, Mr. Reagan favors the recognition of the white minority as the lesser of two evils. To Mr. Reagan, the real evil in South Africa is the threat of communist expansionism or, at the least, the enthroning of radical extremists should the white minority government topple. To most Americans, especially black Americans, the true evil in South Africa is the source of the current unrest, apartheid.

Without question, our Presidential administration is at odds with much of its people on this issue. Are there really two evils? The answer is apparent. Apartheid exists; the last vestige of a 19th century, colonial approach to racial matters. The Communist, extremist threat does not exist. It is a fear, born out of the anticommunist crusade that has obsessed the White House since 1981. I ask this Congress to deal with realities. Apartheid, Bishop Desmond Tutu has told us, can be halted through international pressure. The arrests at the South African Embassy, including my own, have proven this political point. Economically, little has been done to act on Bishop Tutu's advice. My fellow Californian colleague, RON DELLUMS, offers a fine answer to the good bishop; a measure calling for stiff economic restrictions against South Africa. It is overdue, and I must urge the House of Representatives to support it in the name of justice and humanity.

Let us not be misguided by our own fears. Let us continue to recognize the facts and respond to them in a fashion that befits our country's tradition of respect for civil rights/civil liberties. I stand opposed to the evil of apartheid, and I advocate economic pressures on South Africa.

Mr. MITCHELL. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Louisiana [Mrs. BOGGS].

(Mrs. BOGGS asked and was given permission to revise and extend her remarks.)

Mrs. BOGGS. Mr. Chairman, I thank the gentleman for yielding this time to me.

Mr. Chairman, I rise in strong support of the Anti-Apartheid Act. In light of the growing unrest among the repressed people of South Africa and the failure of the government of that country to undertake steps sufficiently constructive to permit all of its people to participate in government, the time has come for the United States to establish a strong tangible, as well as moral, position in opposition to the unacceptable system that exists today in South Africa.

The apartheid system classifies the 23 million blacks who live in South Africa as "foreign natives." Under this system the Group Areas Act defines where different races may live and where they may operate commercially. Black Africans can enter other areas with a permit only as long as their labor is needed. Once admitted to nonblack areas, they must live in prescribed places and are not permitted to own property.

The Pass law requires that all Africans over the age of 16 must at all times have a passport in order to move about the country. Police efficiently control and monitor the movements of blacks. By using improved technology and support offered by the computer equipment developed, manufactured and marketed by American corporations.

The "homelands" system is another element of apartheid. Five Bantustans, or homelands, have been established and South African blacks are assigned to them to be citizens, whether they want to or not. The Bantustans are poor, infertile patches of arid land that comprise about 13 percent of South Africa's area. Nearly 3.5 million Africans have been relocated to these artificial homelands that have no economic viability.

Some argue that there has been some limited degree of progress in reforming the South African system. There was a change in the constitutional form of government in 1983, permitting Asians and mixed race "coloureds" a share of power through the establishment of a racially segregated parliament. However, Black Africans were excluded because they are not citizens of South Africa. They are citizens of their Bantustans.

Others argue that the Sullivan principles are an appropriate progressive response by American business. The Sullivan principles are an important step aimed at ending segregation and the discrimination around which South Africa's private sector revolves. But let me quote from Rev. Leon Sullivan's recent op-ed column in the Philadelphia Enquirer.

The principles are a catalyst for change and affect conditions for black workers throughout the country. They are a lever on other companies.

A group of South African companies employing a million workers, mostly blacks, are now using the principles in their practices. The principles have started a revolution in industrial race relations across South Africa. Also, they have become a platform

for many in South Africa arguing for equal rights in government and other places.

But far more must be done by American and other companies of the world. Growing and mounting tides of protest and turmoil within South Africa make fundamental change crucially urgent if the country is to avoid a bloodbath.

The pace of change is far too slow. The companies in South Africa are powerful and must become active in the struggle. One thousand companies from America and the world in South Africa practicing equal rights and taking firm stands against apartheid laws would make a dramatic difference in helping bring about the dismantling of apartheid. The companies must be pushed harder for faster results.

Unfortunately, more than 100 U.S. companies in South Africa still do not support the equal rights principles and some, that claim to be supporters, are dragging their feet. All U.S. companies should become a part of the principles and measure up fully in their implementation.

Instead, Mr. Chairman, with the help of American investments, technology and expertise, the white minority government has been able to maintain a strong economy and a sophisticated apparatus that quashes all political dissent. The Sullivan principles are a positive step, but they are not a comprehensive way to address the wrongs of apartheid.

Mr. Chairman, H.R. 1460 does represent a significant American response to apartheid. It imposes limits on dealings with South Africa, including restrictions on new U.S. investments, bank loans to the public sector, the importation of krugerrands into the United States, and the export of computer goods to South Africa. The Government of South Africa is sensitive to the importance of foreign investment to its economy. Adoption of these new restrictions will be a strong signal that in the international economic and political environment there is a potential risk of more and effective sanctions unless there is a fundamental political and social change.

Mr. Chairman, I would like to commend the gentleman from Pennsylvania for his leadership on this issue. He has done yeoman service in crafting a sensible American response by reaching out to include participants from a broad spectrum of this House to bring this legislation to this point. I commend him for his efforts and urge passage of this important element in the dismantling of the political and economic structure known as apartheid.

Mr. WYLIE. Mr. Chairman, may I inquire as to how much time remains.

The CHAIRMAN. The gentleman from Ohio [Mr. WYLIE] has 4½ minutes remaining and the gentleman from Maryland [Mr. MITCHELL] has 7 minutes remaining.

□ 1740

Mr. WYLIE. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. FISH].

(Mr. FISH asked and was given permission to revise and extend his remarks.)

Mr. FISH. Mr. Chairman, I am proud to join my colleagues today to speak out against the unjust apartheid policies of South Africa and to express my strong support of H.R. 1460.

The racial injustices being perpetrated daily in South Africa require a strong response by the United States. Can we in good conscience continue new investment and trade with a country whose law is a conscious and deliberate policy of racism and often violent means of repression? Can we do otherwise than to condemn an intricate web of discriminatory laws which makes apartheid the governing reality of every aspect of social and political life?

The Anglican Archbishop, Desmond Tutu, in a recent speech at the University of Kentucky, condemned—the violence in the black townships as discrediting our righteous struggle for liberation. But we must recognize that apartheid is the primary violence in South Africa—the violence of the migratory labor system, the violence of forced population removal, the violence of detention without trial, the violence that forces children to starve, the violence that stunts intellectual and spiritual growth.

Despite being ostracized by the international community as a social pariah, South Africa's central government has refused to relax its discriminatory hold. Special police units constantly harass members of civil rights organizations, such as the outlawed African National Congress, with social and political bannings and internal exiles. Suspected organizers and supporters, like Nelson and Winnie Mandela, have been arrested and incarcerated for long periods of the time without being charged or tried.

Recent events in South Africa make it clear that world pressure, as well as the U.S. policy of constructive engagement, has not eased tensions or increased rights of black South Africans. Over the past 9 months, more than 350 black South Africans have been killed; 10,000 have been arrested. Several of those killed were mourning the deaths of victims of previous protests. Just this past weekend, police killed a black man and injured two others in new rioting.

If history is our lesson, today's clashes and the Government's response signal the beginning of tomorrow's brutal revolution. If we are successful in forcing the lifting of the social and political restrictions of apartheid, perhaps the certainty of bloodshed will be avoided.

True equality will not be obtained without great advances in political participation. Until blacks are permitted to vote and to obtain fair representation in government, the protests will continue. Bishop Tutu said in Kentucky:

I want to see fundamental change, political power sharing, come to South Africa peacefully. I call for international pressure: political, diplomatic, but above all economic.

We in the United States should be part of the peaceful solution in South

Africa. It is time to send a message to the Government of South Africa, which represents less than one-fifth of the population, that we will no longer do business as usual.

The Anti-Apartheid Act takes the steps necessary to make our message clear—without changes in apartheid, we will not participate in the South African economy. Our legislation is a measured response to apartheid. The bill bans bank loans to the public sector, restricts new investment, bans the importation of Krugerrands, and bans computer sales to the Government of South Africa. The ban on new investments and the sale of Krugerrands are subject to a waiver provision. The President can waive these prohibitions for a period of not more than 1 year if he certifies that one or more of certain conditions are being met and Congress agrees by joint resolution. These conditions include the ending of practices repugnant to all Americans—the elimination of the prohibition against blacks living near their place of employment; elimination of the prohibition against blacks finding work anywhere in the country; elimination of forced population removal, residence restrictions, or incarceration of political prisoners. Political conditions include the achievement of an internationally recognized settlement for Namibia or good faith negotiations between blacks and whites to establish a new political system that would permit full national participation by all residents of South Africa.

What of those who question our actions today, who see our sanctions as pushing South Africa into the hands of the Marxists? Again I cite the remarks of Bishop Tutu, who said "Apartheid is the best recruiter for communism."

We can be part of the solution, a peaceful solution. We should be on the side which is not only just, but which will eventually share the power in South Africa. We cannot ignore the inevitable. It is our best chance to have some influence on the future majority government and helping it become a true representative democracy.

My colleagues, the protests in front of the South African Embassy in Washington and on college campuses across the Nation, and H.R. 1460, are as much about our own country as they are about South Africa. These voices and our legislation are about what we stand for and what we will stand against.

Mr. MITCHELL. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio [Mr. PEASE].

(Mr. PEASE asked and was given permission to revise and extend his remarks.)

• Mr. PEASE. Mr. Chairman, I rise in support of H.R. 1460, for it will send a clear and unmistakable signal that the United States will no longer tolerate South Africa's morally repugnant system of racist rule.

The Reagan administration's policy of constructive engagement has not prompted positive reform. Indeed, America's patience with Pretoria has exacerbated the plight of the black majority. Internal repression of South African blacks has escalated dramatically in the past 4 years, as we have maintained close political and economic ties with the white minority government. Understandably, South Africa's black majority condemns America's perceived alignment with the system of apartheid.

The economic sanctions proposed in H.R. 1460 will demonstrate our support of the South African majority and pressure the white minority government to begin dismantling its system of apartheid. Economic pressure from the United States may thus help to avert a catastrophic clash between the black majority and ruling white minority in South Africa.

I urge you to join me in support of H.R. 1460. It is a moderate but vital statement to give credence to America's moral condemnation of apartheid. •

Mr. MITCHELL. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. LEVIN].

(Mr. LEVIN of Michigan asked and was given permission to revise and extend his remarks.)

Mr. LEVIN of Michigan. Mr. Chairman, I rise in support of this legislation.

Let me put it, if I might, rather simply. There are times to err on the side of compromise. There are other times to err on the side of firmness. There are times to cut an issue into pieces. There are other times to stand for an entire principle.

There are times to embrace gradualism. There are other times to insist on swift action. Apartheid is a time for the latter. If any nation should understand that, it is our Nation.

We learned the lesson of indivisibility, of equality, through the ultimate painful test of civil war. We must abide by that lesson here at home and in our relations with all nations.

Mr. Chairman, South Africa must be no exception. It is time for them to act. It is time for us to be firm.

Mr. MITCHELL. Mr. Chairman, I reserve the balance of my time.

Mr. WYLIE. Mr. Chairman, I yield myself the remaining time.

Mr. Chairman, I signed a letter not long ago with 34 of my colleagues expressing my feeling that the end of apartheid can be instrumental to the growth of better relations and good relations between South Africa and the United States.

Apartheid makes it likely that our relations will deteriorate.

I think there should be an immediate end to the violence in South Africa, accompanied by a demonstrated sense of urgency about ending apartheid.



I think, Mr. Chairman, that H.R. 1460 will send that message and I urge adoption of H.R. 1460 today.

Mr. MITCHELL. Mr. Chairman, I yield myself such time as I may consume to close out the debate.

(Mr. MITCHELL asked and was given permission to revise and extend his remarks.)

Mr. MITCHELL. Mr. Chairman, I rise today in strong support of H.R. 1460, the Anti-Apartheid Act of 1985, to impose economic sanctions against the Government of South Africa. This House today has the rare opportunity to dispel the idea that America's foreign policy is hypocritical insofar as blacks on the continent are concerned.

I was in Gabon, Africa, in January 1983, with the gentleman from Michigan [Mr. WOLFE] and others. Black African leaders questioned me over and over and over again. "How can your country praise the people of Afghanistan who are fighting the Soviets and in the same breath condemn black South Africans who are fighting for their liberation?" "How can your country, the great America, continue to give aid, support, and comfort to the Union of South Africa, the only country in the world which upholds racism by law?" "Is your country's policy toward South Africa reflective of a kind of colonialist mentality which demands that whites dominate the lives of blacks?"

The questions came on, and on, and on. I tried my best to answer them in an honest forthcoming manner.

But today, today this House can give a clear, straight answer to all of those questions. By our vote for this legislation today, this House can say not only is the system of apartheid an ugly, evil thing which we condemn, but we shall this day take strong, positive, direct action against this evil thing, this abomination which assaults our very sense of humanity, the system of apartheid.

By our action today we can show the same compassion to blacks trapped in Pretoria as we show to Jews trapped in the Soviet Union.

By our vote today, we can show that we respect the essential dignity of those blacks in Capetown as we show for the beleaguered people in Afghanistan.

Let us dispel the notion that we have a foreign policy toward South Africa which is really a neocolonialist policy for blacks in Soweto.

We can dispel the notion this day on this vote, we can dispel the notion that America is still dominated by a colonialist mentality that says whites will forever dominate the lives of blacks.

Do you know what we are doing in South Africa? We are continuing the old colonialism and supporting it. We are continuing the words of Kipling:

If drunk with sight of power we loose wild tongues that have not thee in awe, such boastings as the gentiles use or lesser breeds without the law.

□ 1750

That is what we are supporting with the neocolonialist policy. I would suggest to you that I thank you so much for your votes in the past criticizing and condemning and calling repugnant and pernicious the policies of South Africa. But that is not enough. We have done that time and time again and there has been essentially no change.

The only change that I have seen is a greater repression, more blacks being killed, more blacks dying in jail, more blacks being forced off their land. That is the only change.

There is a word we used to use in the ghetto about those who come up with their soft persuasive arguments against evil. We used to call it mealy-mouthing and that is what we have been doing here, some of us, today, mealy-mouthing on an issue that cannot be mealy-mouthed on, the issue of whether America is going to be a part of a neocolonialist posture against black South Africans or whether we are going to respond to the deepest and best instincts in this Nation that say all men are created to enjoy freedom, no matter where they exist.

You have heard all of the arguments and I am not going to use any more of my time. I will tell you one thing, let this House fail to vote on this issue and you fail America. Let this House fail to pass this issue and you give all of the justification in the world to the thought that is in the minds of hundreds of thousands of black Africans, that the United States of America, the greatest democracy in the world, will continue to support the most evil and repressive and racist regime that ever existed on the face of the Earth.

Mr. Chairman, let us vote for freedom, for dignity, for the right of self-determination for blacks in South Africa. Let not this House fail this Nation on this vote today.

Mr. Chairman, the House of Representatives has, in the past, adopted several resolutions sharply criticizing the pernicious and repugnant institutionalized racist policies of the South African Government. Although the language enunciating our position has been clear that the Republic of South Africa should cease its constitutional practice of apartheid, we have seen essentially no change in the status quo over the past two decades save the accelerated violence and oppression by Pretoria.

Not only has world attention been focused on the efforts of the 1984 Nobel Peace Prize winner Bishop Desmond Tutu, for his peaceful struggle against racism in South Africa, but much attention has been focused on the protests outside the South African Embassy here in the Nation's Capitol and in other cities across the Nation. It is apparent that these protests have stirred the consciousness of the American public over the past several months, but most casual observers do

not realize that blacks and whites in South Africa have endured an abrasive and often bloodstained relationship since the Dutch first established a trading post at Cape Town in 1652.

Mr. Chairman, although this bill allows for certain conditions under which two of the sanctions could be waived for limited periods, I do feel that it is the kind of legislation that is needed to make clear our opposition to the abominable system of racial discrimination in South Africa.

The economic sanctions this bill would impose include: First, a prohibition on all loans and extensions of credit to the South African Government; second, a prohibition on all investment direct or indirect, in new business enterprises in South Africa; third, a prohibition on the importation into the United States of South African Krugerrands or any other gold coins minted or sold by the South African Government; and fourth, a prohibition on the direct or indirect export of U.S. computers, computer software, or other computer parts to the South African Government.

Over the past several years, we have witnessed an easing of export controls, and, increased sales of aircraft and other high-tech equipment from the United States to the South African Government under the guise of quiet diplomacy, but we have yet to see any move by the South African Government to abandon its policy of apartheid. Apartheid is a direct assault against our ideal of what is right and moral. It personifies evil, offends decency and affronts dignity. If we in this body really care about ending the condition of mass servitude in South Africa, if we are really concerned about the violence, human suffering and economic exploitation which results from minority rule in South Africa, if we really want to indicate to South Africa and the world that the United States is sincere in its abhorrence of the inhumane constitutional practice of racial segregation, we have a perfect opportunity today to do so. I urge my colleagues on both sides of the aisle to do the responsible thing and adopt this bill.

The CHAIRMAN. Under the rule, all time has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute recommended by the Committee on Foreign Affairs, now printed in the reported bill, shall be considered as an original bill for the purpose of amendment, and each section shall be considered as having been read.

After the bill has been considered for amendment in its entirety, it shall be in order to consider the following amendments in the nature of a substitute in the following order: the amendment printed in the CONGRESSIONAL RECORD of May 16, 1985, by, and if offered by, Representative SILJANDER; the amendment printed in the CONGRESSIONAL RECORD of May 16,

1985, by, and if offered by, Representative GUNDERSON; and the amendment printed in the CONGRESSIONAL RECORD of May 16, 1985, by, and if offered by, Representative DELLUMS, which shall be in order even if a previous amendment in the nature of a substitute has been adopted.

Each amendment shall be debatable for 1 hour, to be equally divided and controlled by the proponent of the amendment and a Member opposed thereto, and said amendments shall not be subject to amendment.

The Clerk will designate section 1.

The text of section 1 is as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Anti-Apartheid Act of 1985".

Mr. WOLPE. Mr. Chairman, I ask unanimous consent that the committee amendment in the nature of a substitute be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The text of the remainder of the committee amendment in the nature of a substitute, beginning with section 2, is as follows:

#### SEC. 2. POLICY DECLARATIONS.

The Congress makes the following declarations:

(1) It is the policy of the United States to encourage all nations to adopt political, economic, and social policies which guarantee broad human rights, civil liberties, and individual economic opportunities.

(2) It is the policy of the United States to condemn and seek the eradication of the policy of apartheid in South Africa, a doctrine of racial separation under which rights and obligations of individuals are defined according to their racial or ethnic origin.

#### SEC. 3. PROHIBITION ON LOANS TO THE SOUTH AFRICAN GOVERNMENT.

(a) IN GENERAL.—No United States person may make any loan or other extension of credit, directly or through a foreign affiliate of that United States person, to the Government of South Africa or to any corporation, partnership, or other organization which is owned or controlled by the Government of South Africa, as determined under regulations which the President shall issue.

(b) EXCEPTION FOR NONDISCRIMINATORY FACILITIES.—The prohibition contained in subsection (a) shall not apply to a loan or extension of credit for any educational, housing, or health facility which—

(1) is available to all persons on a totally nondiscriminatory basis, and

(2) is located in a geographic area accessible to all population groups without any legal or administrative restriction.

(c) EXCEPTION FOR PRIOR AGREEMENTS.—The prohibition contained in subsection (a) shall not apply to any loan or extension of credit for which an agreement is entered into before the date of the enactment of this Act.

(d) ISSUANCE OF REGULATIONS.—The President shall issue the regulations referred to in subsection (a) not later than 90 days after the date of the enactment of this Act.

#### SEC. 4. RESTRICTIONS ON NEW INVESTMENTS (INCLUDING BANK LOANS).

(a) PRESIDENT TO ISSUE REGULATIONS.—The President shall, not later than 90 days after

the date of the enactment of this Act, issue regulations prohibiting any United States person from making, directly or through a foreign affiliate of that United States person, any investment (including bank loans) in South Africa.

(b) EXCEPTIONS FROM PROHIBITION.—The prohibition contained in subsection (a) shall not apply to—

(1) a loan or extension of credit permitted under section 3;

(2) an investment which consists of earnings derived from a business enterprise in South Africa established before the date of the enactment of this Act and which is made in that business enterprise; or

(3) the purchase, on a securities exchange registered as a national securities exchange under section 6 of the Securities Exchange Act of 1934, of securities in a business enterprise described in paragraph (2).

#### SEC. 5. GOLD COINS.

(a) PROHIBITION.—No person, including a bank, may import into the United States any South African krugerrand or any other gold coin minted in South Africa or offered for sale by the Government of South Africa.

(b) UNITED STATES DEFINED.—For purposes of this section, the term "United States" includes the States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

#### SEC. 6. WAIVERS.

(a) AUTHORITY OF THE PRESIDENT.—

(1) INITIAL WAIVER.—The President may waive the prohibitions contained in sections 4 and 5 for a period of not more than 12 months if—

(A) the President determines that one or more of the conditions set forth in subsection (b) are met,

(B) the President submits that determination to the Congress, and

(C) a joint resolution is enacted approving the President's determination.

(2) ADDITIONAL WAIVERS.—The President may waive the prohibitions contained in sections 4 and 5 for additional 6-month periods if, before each such waiver—

(A) the President determines that an additional condition set forth in subsection (b) has been met since the preceding waiver under this subsection became effective,

(B) the President submits that determination to the Congress, and

(C) a joint resolution is enacted approving the President's determination.

(b) STATEMENT OF CONDITIONS.—The conditions referred to in subsection (a) are the following:

(1) FAMILY HOUSING NEAR PLACE OF EMPLOYMENT.—The Government of South Africa has eliminated the system which makes it impossible for black employees and their families to be housed in family accommodations near the place of employment.

(2) RIGHT TO SEEK EMPLOYMENT.—The Government of South Africa has eliminated all policies that restrict the rights of black people to seek employment in South Africa and to live wherever they find employment in South Africa.

(3) ELIMINATING DENATIONALIZATION.—The Government of South Africa has eliminated all policies that make distinctions between the South African nationality of blacks and whites.

(4) ELIMINATING REMOVALS.—The Government of South Africa has eliminated removals of black populations from certain geographic areas on account of race or ethnic origin.

(5) ELIMINATING RESIDENCE RESTRICTIONS.—The Government of South Africa has eliminated all residence restrictions based on race or ethnic origin.

(6) NEGOTIATIONS FOR NEW POLITICAL SYSTEM.—The Government of South Africa has entered into meaningful negotiations with truly representative leaders of the black population for a new political system providing for the full national participation of all the people of South Africa in the social, political, and economic life in that country and an end to discrimination based on race or ethnic origin.

(7) SETTLEMENT ON NAMIBIA.—An internationally recognized settlement for Namibia has been achieved.

(8) FREEING POLITICAL PRISONERS.—The Government of South Africa has freed all political prisoners.

#### (c) PROCEDURES FOR CONSIDERATION OF JOINT RESOLUTIONS.—

(1) REFERRAL OF JOINT RESOLUTIONS.—All joint resolutions introduced in the House of Representatives and the Senate shall be referred immediately to the appropriate committees.

(2) COMMITTEE DISCHARGE.—If the committee of either House to which a joint resolution has been referred has not reported it at the end of 30 days after its introduction, the committee shall be discharged from further consideration of the joint resolution or of any other joint resolution introduced with respect to the same matter.

(3) CONSIDERATION OF RESOLUTIONS.—A joint resolution under this subsection shall be considered in the Senate in accordance with the provisions of section 601(b)(4) of the International Security Assistance and Arms Export Control Act of 1976. For the purpose of expediting the consideration and passage of joint resolutions reported or discharged pursuant to the provisions of this subsection, it shall be in order for the Committee on Rules of the House of Representatives to present for consideration a resolution of the House of Representatives providing procedures for the immediate consideration of a joint resolution under this subsection which may be similar, if applicable, to the procedures set forth in section 601(b)(4) of the International Security Assistance and Arms Export Control Act of 1976.

(4) RECEIPT OF RESOLUTIONS FROM THE OTHER HOUSE.—If before the passage by one House of a joint resolution of that House, that House receives a joint resolution with respect to the same matter from the other House, then—

(A) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

(B) the vote on final passage shall be on the joint resolution of the other House.

(5) COMPUTATION OF LEGISLATIVE DAYS.—In the computation of the period of 30 days referred to in paragraph (2) of this subsection, there shall be excluded the days on which either House of Congress is not in session because of an adjournment of more than 3 days to a day certain or because of an adjournment of the Congress sine die.

(6) JOINT RESOLUTION DEFINED.—For purposes of this subsection, the term "joint resolution" means a joint resolution the matter after the resolving clause of which is as follows: "That the Congress, having received on a determination of the President under section 6(a) of the Anti-Apartheid Act of 1985 approves the President's determination," with the date of the receipt of the determination inserted in the blank.

#### SEC. 7. EXPORTS TO SOUTH AFRICAN GOVERNMENT

Section 6 of the Export Administration Act of 1979 (50 U.S.C. App. 2405) is amended by adding at the end the following:

"(1) EXPORTS TO SOUTH AFRICA.—No computers, computer software, or goods or technology intended to service computers may be exported, directly or indirectly, to or for



use by the Government of South Africa or any corporation, partnership, or other organization which is owned or controlled by the Government of South Africa.

"(2) For purposes of paragraph (1), the term 'computer' includes any computer that is the direct product of technology of United States origin.

"(3) The prohibition contained in paragraph (1) shall not apply to donations of computers to primary and secondary schools.

"(4) Notwithstanding any other provision of this or any other Act, the prohibition contained in paragraph (1) shall apply to any contract or agreement entered into before the date of the enactment of this subsection, and to any license or other authorization in effect which is issued under this Act before such date of enactment.

"(5) The termination provisions contained in section 20 of this Act shall not apply to this subsection, or to sections 11 and 12 of this Act to the extent such sections apply to violations of, and the enforcement of, this subsection."

#### SEC. 8. REGULATORY AUTHORITY.

The President shall issue such regulations, licenses, and orders as are necessary to carry out this Act.

#### SEC. 9. ENFORCEMENT AND PENALTIES.

(a) **AUTHORITY OF THE PRESIDENT.**—The President shall take the necessary steps to ensure compliance with the provisions of this Act and any regulations, licenses, and orders issued to carry out this Act, including establishing mechanisms to monitor compliance with this Act and such regulations, licenses, and orders. In ensuring such compliance, the President may conduct investigations, hold hearings, administer oaths, examine witnesses, receive evidence, take depositions, and require by subpoena the attendance and testimony of witnesses and the production of all books, papers, and documents relating to any matter under investigation.

##### (b) **PENALTIES.**—

(1) **FOR PERSONS OTHER THAN INDIVIDUALS.**—Any person, other than an individual, that violates the provisions of this Act or any regulation, license, or order issued to carry out this Act shall be fined not more than \$1,000,000.

##### (2) **FOR INDIVIDUALS.**—

(A) **IN GENERAL.**—Any individual who violates the provisions of this Act or any regulation, license, or order issued to carry out this Act shall be fined not more than \$50,000, or imprisoned not more than 5 years, or both.

(B) **PENALTY FOR SECTION 5.**—Any individual who violates section 5 of this Act or any regulation issued to carry out that section shall, in lieu of the penalty set forth in subparagraph (A), be fined not more than 5 times the value of the krugerrands or gold coins involved.

##### (c) **ADDITIONAL PENALTIES FOR CERTAIN INDIVIDUALS.**—

(1) **IN GENERAL.**—Whenever a person commits a violation under subsection (b)—

(A) any officer, director, or employee of such person, or any natural person in control of such person who knowingly and willfully ordered, authorized, acquiesced in, or carried out the act or practice constituting the violation, and

(B) any agent of such person who knowingly and willfully carried out such act or practice,

shall be fined not more than \$10,000, or imprisoned not more than 5 years, or both.

(2) **EXCEPTION FOR CERTAIN VIOLATIONS.**—Paragraph (1) shall not apply in the case of a violation by an individual of section 5 of this Act or of any regulation issued to carry out that section.

(3) **RESTRICTION ON PAYMENT OF FINES.**—A fine imposed under paragraph (1) on an individual for an act or practice constituting a violation may not be paid, directly or indirectly, by the person committing the violation itself.

#### SEC. 10. NEGOTIATIONS.

The President shall, by means of both bilateral and multilateral negotiations, including through the United Nations, attempt to persuade the governments of other countries to adopt restrictions on new investment (including bank loans) in South Africa, on bank loans and computer sales to the South African Government, and on the importation of krugerrands. The President shall submit annual reports to the Congress on the status of negotiations under this section.

#### SEC. 11. TERMINATION OF PROVISIONS OF ACT.

(a) **DETERMINATION OF ABOLITION OF APARTHEID.**—If the President determines that the system of apartheid in South Africa has been abolished, the President may submit that determination, and the basis for the determination, to the Congress.

(b) **JOINT RESOLUTION APPROVING DETERMINATION.**—Upon the enactment of a joint resolution approving a determination of the President submitted to the Congress under subsection (a), the provisions of this Act, and all regulations, licenses, and orders issued to carry out this Act, shall terminate.

(c) **DEFINITION.**—For purposes of subsection (a), the "abolition of apartheid" shall include—

(1) the repeal of all laws and regulations that discriminate on the basis of race; and

(2) the establishment of a body of laws that assures the full national participation of all the people of South Africa in the social, political, and economic life in that country.

#### SEC. 12. DEFINITIONS.

For purposes of this Act—

(1) **INVESTMENT IN SOUTH AFRICA.**—The term "investment in South Africa" means establishing, or otherwise investing funds or other assets in, a business enterprise in South Africa, including making a loan or other extension of credit to such a business enterprise.

(2) **UNITED STATES PERSON.**—The term "United States person" means any United States resident or national and any domestic concern (including any permanent domestic establishment of any foreign concern), and such term includes a bank organized under the laws of the United States;

(3) **SOUTH AFRICA.**—The term "South Africa" includes—

(A) the Republic of South Africa,

(B) any territory under the administration, legal or illegal, of South Africa, and

(C) the "bantustans" or homelands, to which South African blacks are assigned on the basis of ethnic origin, including the Transkei, Bophuthatswana, Ciskei, and Venda.

(4) **FOREIGN AFFILIATE.**—A "foreign affiliate" of a United States person is a business enterprise located in a foreign country, including a branch, which is controlled by that United States person.

(5) **CONTROL.**—A United States person shall be presumed to control a business enterprise if—

(A) the United States person beneficially owns or controls (whether directly or indirectly) more than 50 percent of the outstanding voting securities of the business enterprise;

(B) the United States person beneficially owns or controls (whether directly or indirectly) 25 percent or more of the voting securities of the business enterprise, if no

other person owns or controls (whether directly or indirectly) an equal or larger percentage;

(C) the business enterprise is operated by the United States person pursuant to the provisions of an exclusive management contract;

(D) a majority of the members of the board of directors of the business enterprise are also members of the comparable governing body of the United States person;

(E) the United States person has authority to appoint a majority of the members of the board of directors of the business enterprise; or

(F) the United States person has authority to appoint the chief operating officer of the business enterprise.

(6) **LOAN.**—The term "loan" includes an extension of credit as defined in section 201(h) of the Credit Control Act (12 U.S.C. 1901(h)).

(7) **BANK.**—The term "bank" means—

(A) any depository institution as defined in section 19(b)(1)(A) of the Federal Reserve Act (12 U.S.C. 461(b)(1)(A)),

(B) any corporation organized under section 25(a) of the Federal Reserve Act (12 U.S.C. 611 et seq.),

(C) any corporation having an agreement or undertaking with the Federal Reserve Board under section 25 of the Federal Reserve Act (12 U.S.C. 611 et seq.), and

(D) any bank holding company as defined in section 2(a) of the Bank Holding Company Act of 1956 (12 U.S.C. 1843(a)).

(8) **BUSINESS ENTERPRISE.**—The term "business enterprise" means any organization, association, branch, or venture which exists for profitmaking purposes or to otherwise secure economic advantage.

(9) **BRANCH.**—The term "branch" means the operations or activities conducted by a person in a different location in its own name rather than through a separate incorporated entity.

(10) **POLITICAL PRISONER.**—The term "political prisoner" means any person in South Africa who is incarcerated or persecuted on account of race, religion, nationality, membership in a particular social group, or political opinion, but the term "political prisoner" does not include any person who ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion.

#### SEC. 13. APPLICABILITY TO EVASIONS OF ACT.

This Act and the regulations issued to carry out this Act shall apply to any person who undertakes or causes to be undertaken any transaction or activity with the intent to evade this Act or such regulations.

#### SEC. 14. CONSTRUCTION OF ACT.

Nothing in this Act shall be construed as constituting any recognition by the United States of the homelands referred to in section 12(3)(C) of this Act.

#### AMENDMENT OFFERED BY MR. ZSCHAU

Mr. ZSCHAU. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ZSCHAU: Page 20, line 11, strike out "or".

Page 20, line 15, strike out the period and insert in lieu thereof a semicolon.

Page 20, insert the following after line 15:

(4) the establishment by a United States person of a business enterprise in South Africa if that United States person first certifies to the President that the person will, in the operation of that business enterprise, implement those principles set forth in subsection (c); or

(5) an investment by a United States person who—

(A) operates or controls a business enterprise in South Africa, and

(B) in the operation of that business enterprise, implements those principles set forth in subsection (c),

if the investment is made in that business enterprise.

(c) STATEMENT OF PRINCIPLES.—The principles referred to in paragraphs (4) and (5)(B) of subsection (b) are as follows:

(1) DESEGREGATING THE RACES.—Desegregating the races in each employment facility, including—

(A) removing all race designation signs;

(B) desegregating all eating, rest, and work facilities; and

(C) terminating all regulations which are based on racial discrimination.

(2) EQUAL EMPLOYMENT.—Providing equal employment for all employees without regard to race or ethnic origin, including—

(A) assuring that any health, accident, or death benefit plans that are established are nondiscriminatory and open to all employees without regard to race or ethnic origin; and

(B)(i) implementing equal and nondiscriminatory terms and conditions of employment for all employees, and (ii) abolishing job reservations, job fragmentation, apprenticeship restrictions for blacks and other nonwhites, and differential employment criteria, which discriminate on the basis of race or ethnic origin.

(3) EQUITABLE PAY SYSTEM.—Assuring that the pay system is equitably applied to all employees without regard to race or ethnic origin, including—

(A) assuring that any wage and salary structure that is implemented is applied equally to all employees without regard to race or ethnic origin;

(B) eliminating any distinctions between hourly and salaried job classifications on the basis of race or ethnic origin; and

(C) eliminating any inequities in seniority and in-grade benefits which are based on race or ethnic origin.

(4) MINIMUM WAGE AND SALARY STRUCTURE.—Establishing a minimum wage and salary structure based on the appropriate local minimum economic level which takes into account the needs of employees and their families.

(5) INCREASING BLACKS AND OTHER NONWHITES IN CERTAIN JOBS.—Increasing, by appropriate means, the number of blacks and other nonwhites in managerial, supervisory, administrative, clerical, and technical jobs for the purpose of significantly increasing the representation of blacks and other nonwhites in such jobs, including—

(A) developing training programs that will prepare substantial numbers of blacks and other nonwhites for such jobs as soon as possible, including—

(i) expanding existing programs and forming new programs to train, upgrade, and improve the skills of all categories of employees, including establishing and expanding programs to enable employees to further their education and skills at recognized education facilities; and

(ii) creating on-the-job training programs and facilities to assist employees to advance to higher paying jobs requiring greater skills;

(B) establishing procedures to assess, identify, and actively recruit employees with potential for further advancement;

(C) identifying blacks and other nonwhites with high management potential and enrolling them in accelerated management programs; and

(D) establishing timetables to carry out this paragraph.

(6) IMPROVING LIFE OUTSIDE THE WORKPLACE.—Taking reasonable steps to improve the quality of employees' lives outside the work environment with respect to housing, transportation, schooling, recreation, and health, including—

(A) providing assistance to black and other nonwhite employees for housing, health care, transportation, and recreation either through providing facilities or services or providing financial assistance to employees for such purposes, including the expansion or creation of in-house medical facilities or other medical programs to improve medical care for black and other nonwhite employees and their dependents; and

(B) participating in the development of programs that address the education needs of employees, their dependents, and the local community.

(7) FAIR LABOR PRACTICES.—Implementing fair labor practices, including—

(A) recognizing the rights of all employees, regardless of racial or other distinctions, to self-organization and to form, join, or assist labor organizations, freely and without penalty or reprisal, and recognizing the right to refrain from any such activity;

(B) refraining from—

(i) interfering with, restraining, or coercing employees in the exercise of their rights of self-organization under this paragraph,

(ii) dominating or interfering with the formation or administration of any labor organization, or sponsoring, controlling, or contributing financial or other assistance to it; except that an employer may permit employees to confer with the employer during working hours without loss of time or pay,

(iii) encouraging or discouraging membership in any labor organization by discrimination in regard to hiring, tenure, promotion, or other condition of employment,

(iv) discharging or otherwise disciplining or discriminating against any employee who has exercised any rights of self-organization under this paragraph, and

(v) refusing to bargain collectively with any organization freely chosen by employees under this paragraph; and

(C)(i) allowing employees to exercise rights of self-organization, including solicitation of fellow employees during nonworking hours, (ii) allowing distribution and posting of union literature by employees during nonworking hours in nonworking areas, and (iii) allowing reasonable access to labor organization representatives to communicate with employees on employer premises at reasonable times where there are no other available channels which will enable the labor organization to communicate with employees through reasonable efforts.

Mr. ZSCHAU (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ZSCHAU. Mr. Chairman, I strongly support the objectives of H.R. 1460. This bill was designed to provide pressures and incentives on the South African Government to take specific actions to end apartheid. It also attempts to disassociate the United States from supporting the mechanisms of apartheid, and it sends a strong symbolic signal to the Government of South Africa.

Unfortunately, although the objectives of the bill as it is written are

good, it has some flaws in it. I will be offering a series of four amendments to address these flaws.

The flaws fall into two categories. One is that it is based on unilateral action by the United States, when we all know that economic sanctions are most effective when they are entered into on a multilateral basis.

Second, and perhaps most importantly, the sanctions as they are currently written are not focused enough. They are not focused on the negative aspects that we are trying to eliminate, nor do they recognize some of the positive aspects of activities by the United States firms in South Africa.

This first amendment that I am offering amends section 4. Section 4 bans new investments in South Africa. But in section 4, there are three exceptions to that overall ban. One of those exceptions is that bank loans and extensions of credit are permitted to housing, educational, and health facilities that do not discriminate.

Why was that exception made? It was made because those activities have a positive effect on the quality of life of some black South Africans—not all black South Africans, perhaps not the majority of black South Africans—but they have a positive effect on the quality of life of some South Africans.

My amendment would create a similar exception. It would be an exception for investments in enterprises that follow fair employment principles that are often referred to as the Sullivan principles. The principles that I refer to in my amendment are those principles that we endorsed in this House as title III in the Export Administration Act last year, H.R. 1436. It would mean that those companies that are following those fair employment principles are indeed having a positive effect on black South Africans, and, therefore, we should not ban new investment by those companies.

Some will argue that the impact of the Sullivan Code compliant companies is small. I agree that it is small. But it is positive. They have a small, positive impact much like loans to education, housing, and health facilities that do not discriminate.

So let us not throw the baby out with the bath water, even though the baby may be small. Instead, let us encourage the positive effect by U.S. companies that are compliant with the Sullivan Code.

Second, it is argued that the ban as it is written in the bill would not really reduce jobs for blacks that are being employed by Sullivan Code companies or other companies. However, we can look to the example of Sweden. Sweden enacted a freeze on investment in 1979. By this year, the number of employees in Swedish firms in South Africa has been cut in half.

It would seem to me that if we have a force that is positive, even though it is a small force, toward improving the quality of life of black South Africans,



we should not stifle it; we should encourage it. That is what my amendment would do.

Rather than having an across-the-board ban on new investment, it would recognize that those companies that are complying with the Sullivan Code are having a positive effect. Those companies should be allowed to expand. New companies that comply with the Sullivan Code should be allowed to get started in South Africa. That is what my amendment would do.

Mr. WOLPE. Mr. Chairman, I rise in opposition to the amendment offered by my distinguished colleague, the gentleman from California [Mr. ZSCHAU].

(Mr. WOLPE asked and was given permission to revise and extend his remarks.)

Mr. WOLPE. Mr. Chairman, before laying out my objections to this particular amendment I do want to say to my distinguished colleague that I think that he has made a very constructive contribution to the debate that has taken place thus far with respect to the anti-apartheid legislation that is before this body.

He will, as he noted in his remarks, be offering four separate amendments, and we intend to accept at least two of the four of those amendments which I believe will represent constructive improvements to the legislation before the body. So I certainly respect his intentions and the constructive nature of the contribution that he is making.

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I must oppose his amendment, however, that is now before this body, because it seriously weakens what are in fact very modest sanctions that are incorporated in H.R. 1460.

I will be in the position, I might add, later on, of opposing even some amendments that propose to add new sanctions to those that are embodied in this legislation.

The elements of the legislation before this body were by and large before us in this House in the last session of Congress and enjoyed the support of this body. They are effective measures designed to send to the South African Government and to both the black and white populations of South Africa a clear indication that the American people understand very clearly that constructive engagement has had enormously destructive consequences, both with respect to the process of changes in South Africa, and with respect to American national interests.

Our concern is the policies of the South African Government fundamentally. Let it be clearly understood that American corporations who do business in South Africa, of course, ought to behave as if they were all signatories to the Sullivan Code. To say that is to say nothing more and nothing less than American companies functioning in South Africa should behave

as if they were operating within the United States, adhering to practices of equal employment opportunity and equal justice in the workplace.

But we intentionally did not include Sullivan Code-related measures as part of this legislation because the authors of this legislation wanted to make very clear that our focus was the South African Government, not American corporate activity. It will be my intention, as I have indicated on other occasions, to take up separately within my committee legislation related to the Sullivan Code. Mr. SOLARZ, the gentleman from New York, and Mr. GRAY, the gentleman from Pennsylvania, will be sponsoring that particular body of legislation. But the issue that is fundamentally before us when we talk about apartheid is not job segregation, job discrimination, economic conditions of the workplace. The fundamental question is political rights. And the purpose of the sanctions incorporated in H.R. 1460 is to say to the South African Government that the United States will not countenance additional infusion of capital into that country from American corporations until there is demonstrable progress away from the system of apartheid.

It is a modest initiative. It does not call for disinvestment at this point, but it does say that we will not permit more American capital to flow into the country, effectively supporting the system of apartheid and the economy that underpins that system.

What the Zschau amendment would do is say effectively that the no new investment ban will be maintained except for firms that apply the Sullivan Code. There is absolutely nothing, I might add, relating to enforcement of the Sullivan Code within the Zschau amendment. But beyond that, I would submit to Members of this body, that we do not want to be in a position of essentially saying that we are going to allow any additional capital to flow into that country until steps are taken to dismantle apartheid. The issue is not whether American firms are behaving as American firms should behave; the issue is whether or not we are going to make our diplomacy credible. For the past several years we have heard consistently verbal condemnations of the system of apartheid, and yet business as usual is being conducted.

Mr. CHAIRMAN. The time of the gentleman from Michigan [Mr. WOLPE] has expired.

(By unanimous consent, Mr. WOLPE was allowed to proceed for 1 additional minute.)

Mr. WOLPE. Yet we have seen business conducted very much as usual. I will resist and must resist the amendment by the gentleman from California [Mr. ZSCHAU] because it really weakens the sanctions that are now in this legislation, which sanctions are themselves a very modest beginning of the redirecting of our foreign policy toward South Africa.

Mr. ZSCHAU. Mr. Chairman, will the gentleman yield?

Mr. WOLPE. I will be very happy to yield to the gentleman from California.

Mr. ZSCHAU. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I certainly appreciate the thoughtful remarks that the gentleman has made in reaction to my amendment.

Mr. Chairman, I have a question for the gentleman and that question is this: In the gentleman's opinion, do the companies from the United States who have subsidiaries in South Africa that comply with the Sullivan Code maintain better employment practices than companies typical of South Africa itself, vis-a-vis the blacks or European countries that have subsidiaries in South Africa?

Mr. WOLPE. If I may reclaim my time.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. WOLPE] has expired.

(By unanimous consent, Mr. WOLPE was allowed to proceed for 2 additional minutes.)

Mr. WOLPE. Let me say to the gentleman from California that I think there are some companies that are Sullivan Code signatories that in fact pursue employment practices that are substantially more progressive than those that are not Sullivan Code signatories. But there are many Sullivan Code signatories, in effect, not in compliance with the code and have been held to be not in full compliance by the Arthur D. Little monitoring agency that has pursued a review of Sullivan Code compliance.

Let me say, though, beyond that, to the gentleman from California, that I believe that there are a number of American firms who have undertaken economic activity in South Africa, that have become Sullivan Code signatories that are deeply opposed to apartheid and have made some very constructive contributions by effective implementation of the Sullivan Code. I have some firms from my own congressional district that I think have made enormous constructive and sincere contributions to the economic conditions for black employees within those firms. But we need to understand two points. The first is that there is a very small fraction of the total nonwhite population that is employed by those firms, a total of about 70,000 black Africans, for example, less than 1 percent of the total black work force; when we consider the 26 million nonwhites in South Africa you get a sense of how few people are caught up within those Sullivan Code signatory firms.

Second, all of that positive development with respect to economic conditions notwithstanding, there is no evidence whatsoever that those constructive economic changes which have occurred within those few firms involving those few workers have had the

least impact upon political liberalization. In fact, at the very same time we have seen the process of industrialization continued and extended, at the very same time we have had Sullivan Code companies that attempt to enforce workplace conditions that obviously are progressive and make sense, we have seen intensified repression and a growing commitment on the part of the Afrikaners to resist any fundamental change.

My concern is that we not mistake economic and social changes occurring within the workplace situation as somehow leading to the kind of inevitable process toward elimination of apartheid.

The CHAIRMAN. The time of the gentleman has again expired.

(On request of Mr. ZSCHAU and by unanimous consent, Mr. WOLPE was allowed to proceed for 2 additional minutes.)

Mr. ZSCHAU. Mr. Chairman, will the gentleman yield to me?

Mr. WOLPE. I surely would be pleased to yield to the gentleman from California.

Mr. ZSCHAU. Mr. Chairman, I respect the gentleman's opinion on this, and the bill and the objectives of the bill, as I said, in the well. And I understand that each element of the bill is not a complete solution. But we should look at them as a composite. There is a ban on bank loans, no bank loans to the Government of South Africa. There are some export limitations. There are some import limitations when it comes to the krugerrand. Within the context of all of that it seems like we have a combination of sanctions on the government directed toward the government, directed toward the apartheid-supporting aspects of the government and then we can have, in addition to that, some positive factors that work in the economy to benefit the black South Africans. This particular amendment would take what I consider to be a meat cleaver approach and turn it into a scalpel, to say that those companies that do not comply with fair employment practices, and we can write the regulations that would enforce that, that is a part of the bill; that those companies should not expand, those companies should not get started; but those companies, no matter how few that are making a positive contribution through the lives of black South Africans, we should encourage them to expand. And in conjunction with the other sanctions directed toward the government we have an overall comprehensive approach to the problem.

□ 1810

Mr. WOLPE. Will the gentleman yield?

Mr. ZSCHAU. I yield to the gentleman.

Mr. WOLPE. Again, I think the real judgment is, what is effective? I think the South African Government, its own officials through their own public

statements have made clear what they are most deeply concerned about is not Sullivan Code companies and whether they comply or do not comply with workplace standards.

What they are concerned about is the prospect that new capital infusion will be limited into their country; that there will be no new investment established as a form of policy; it has already happened by some European countries.

That is the real measure of effectiveness from the standpoint of the Afrikaner government. So my hope is that we will not weaken what is in place within this legislation, which is a ban on any new investment, from the United States though companies that are already there could in fact reinvest their retained earnings.

(On request of Mr. ZSCHAU and by unanimous consent, Mr. WOLPE was allowed to proceed for 1 additional minute.)

Mr. ZSCHAU. Will the gentleman yield?

Mr. WOLPE. I yield to the gentleman.

Mr. ZSCHAU. I would just like to point to the gentleman, as he well knows, that the amount of investment that the United States made relative to the total foreign investment is a small fraction, a significant fraction, but about 17 percent, as I understand the numbers.

So that the impact of disinvestment, no new investment by the United States, would not bring the government to its knees or change it in a dramatic way. That can be replaced by foreign investment coming from other countries.

Mr. WOLPE. Mr. Chairman, if I can reclaim my time to respond. The gentleman, I am afraid, is somewhat in error. The United States, it turns out, is the second largest investor within South Africa, second only to Great Britain.

Twenty two percent, I think it is, of the total investment, foreign investment in South Africa, is American investment. Now while from an American standpoint the total investment activity is relatively small, from the South African standpoint it is very substantial, and it is that substantiality that provides some very significant leverage to the United States, if we are prepared now to use that leverage.

Mr. HYDE. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the Zschau amendment.

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Chairman, I greet this topic with some trepidation, because I do not think anybody has got all the answers. It is a very difficult, almost intractable problem.

When you are dealing with a country with 26 million blacks, broken up into nine major tribes, 5 million whites, you have the ingredients for

political tragedy, and that is what we have in South Africa.

I do not address this topic, suggesting that I have all the answers. I do not, or have any answers, but I would like to share some of my thinking on this problem, and in an effort to balance some of the debate.

Let us start out with the statement, nobody supports apartheid. Nobody supports it; everybody rejects it. It is repulsive.

Now, how do we get rid of it? It seems to me that is what we are talking about.

First of all, I would like to disagree respectfully with my colleagues who have said that the Republic of South Africa is the only country that legally disenfranchises people because of their race.

I would read to you from the Constitution of the Republic of Liberia, adopted October 19, 1983, article 27, subparagraph (b) and I quote:

In order to preserve, foster and maintain the positive Liberian culture, values and character, only persons who are Negroes or of Negro descent shall qualify by birth or by naturalization to be citizens of Liberia.

Now, article 22, subparagraph (a) of the same Approved Constitution of the Republic of Liberia:

Every person shall have the right to own property alone as well as in association with others; provided that only Liberian citizens shall have the right to own real property within the Republic.

So let us not continue to say only South Africa has a racist constitution.

Now let us talk about the repression that goes on in South Africa. I suggest to you there are other forms of apartheid. I suggest to you the Soviet Union practices religious apartheid, and Anatoly Shcharansky or Andrie Sakharov would welcome the freedom that Bishop Tutu has; to leave the country, to come over to the United States, to participate in assemblies, to accept the Nobel Prize.

Sakharov and Shcharansky should live so long, they would have that kind of freedom.

Now I am not justifying the repression in South Africa. I am saying, let us look at things in context. When I see the thousands of people, probably million of people that are starving in Ethiopia through the official government practices and procedures, where for example they burned a refugee camp—I wonder why there are no pickets at the Ethiopian Embassy?

Now I ask my colleague and friend Mr. WOLPE whether his subcommittee, which is the conscience of this House on matters African, what they were going to do about that, and he said,

I wrote a letter with Mr. LELAND and Mr. WEISS, a letter to Colonel Mengistu, telling him the perceptions were not good, if they kept this up.

Well, OK, that is something; but I just suggest that the entire continent needs half the attention we give South Africa.



"Ghanaians Claim Mistreatment—Thousands Remain Stranded in Nigeria." Tales of death, deprivation and hostility unfolded today as Ghanaian workers expelled by Nigeria arrived by sea; 700,000 of them being expelled. On and on and on.

I am not justifying what South Africa does; I am suggesting there is a myopia that focuses consistently at South Africa and fails to look at the rest of the continent which, when it comes to human rights, is literally a basket case.

Now the remedy to get rid of apartheid, it seems to me, is not disinvestment but on the contrary is what Mr. ZSCHAU is suggesting; investment with a mandated compliance with the Sullivan principles.

I suggest to you that apartheid flourishes in a lesser developed country where the blacks are confined to be hewers of wood and haulers of water, laborers, but as rapid industrialization and growth occurs, the white minority is going to need blacks to be managers, develop skills to be high-tech employees, urbanize them instead of keeping them in the hinterland where in the cities living conditions and racially restrictive laws will of necessity break down.

Apartheid works only in a country with low economic growth; but high growth and rapid industrialization will put a terminal strain on apartheid.

(By unanimous consent, Mr. HYDE was allowed to proceed for 2 additional minutes.)

I am suggesting that in a country that is industrializing, that must utilize its black people in higher jobs and in better jobs, that means better education; that means black unions, and that means that political power which always follows economic power.

Divestment, on the other hand, without any aid from the Sullivan principles, will result in further unemployment, will result in deprivation, will result in hunger, and I dare say in revolution.

Now, if you want revolution then let us go that route, but if you want to solve a very difficult problem, that is not unique in Africa and not unique in this world, we ought to do it in a more enlightened fashion.

I support the Zschau amendment.

I yield back the balance of my time.

Mr. MITCHELL. Mr. Chairman, I rise in opposition to the amendment.

I want to take this opportunity to refresh our thinking, and to try to put some things in perspective. Earlier today, one of our colleagues likened the situation in South Africa to the apartheid system that existed in America insofar as blacks were concerned, only up until very recently.

I lived through that period, and I saw some of the same tactics that are being used today employed against me and my people in order to obscure, in order to detract from, in order to circumvent the real issue of racism in this country.

What were the tactics? One was that "After all, you've got to be gradualist; you can't change these things overnight; let them gradually evolve," and I heard that, any my black colleagues heard that for all of our lives. If we had been waiting for gradualism, I would not be standing in this House floor today.

Finally we had enough of it, and we seized the initiative; all up and down this country we went on strikes, protests—we did some terrible things out of our frustration, but gradualism was a stinking word and it is just as smelly to me today used in this context as it was in those times.

Let me refresh your thinking a little bit more about how we blacks in America were deterred from seeking full citizenship, which we still do not have. One was to always create another problem: "Don't deal with the issue of racism in America, why don't we focus in on employment opportunities; why don't we focus in on education, why don't we focus in on everything else except the central issue: racism?"

That is the exact same tactic that is being used today in this Chamber. That is the old "divert your thinking" tactic in the hope that somehow or another people will somehow or another accept their status as less than human beings.

It did not work in this country, and it is not going to work in South Africa. I can assure you, and those who stand up before us, prating about, prating about problems in other countries, that is the same thing that happened in terms of our protest in front of the South African Embassy; those who do no care saying, "Well, why aren't you focusing in on the problems of black unemployment in this country? Why aren't you focusing in on this? Why aren't you focusing in on that?"

Only for one reason: To divert us from a central attack on racism, which is systemic and deep in the Union of South Africa.

I respectfully submit to you, my colleagues, do not be fooled by these old tactics and strategies; do not be misled by those attempts to confuse us and divert us from the issue. There is one issue. One issue requiring one solution, and that is to end racism in South Africa.

How do you do it? You do it by attacking the economic soft underbelly of South Africa. That is how it is done, and in no other fashion.

I yield back the balance of my time.

Mr. SOLARZ. Mr. Chairman, I rise in opposition to the amendment.

Mr. HYDE. Will the gentleman yield to me for a second?

Mr. SOLARZ. For my very good friend from Illinois, I am always happy to yield.

Mr. HYDE. I thank the gentleman.

I just want to comment that the remarks of the previous speaker questioned the motivation of myself. He said I prated about other countries in Africa.

I suggested, when I was in the well, that sometimes these things should be put in context, and I attempted to do that. The gentleman may not like to hear about the other countries such as Ethiopia and Nigeria, but my motives are not to divert anybody's attention—on the contrary, to direct attention to the problem as it exists in Africa; not in just one country.

Thank you for yielding.

Mr. MITCHELL. Will the gentleman yield to me for 30 seconds?

Mr. SOLARZ. It is an even greater pleasure to yield to my friend from Maryland.

Mr. MITCHELL. Thank you, because I very carefully worded my statement; I did not refer to any single person. Several persons talked about other problems that we had during the general debate; not just you. When I talked about prating, I obviously would not confine the prating process solely to the gentleman from Illinois.

□ 1820

Mr. SOLARZ. Mr. Chairman, I move to strike the requisite number of words.

This was a very interesting colloquy between the gentleman from Illinois and the gentleman from Maryland. And I must say, after listening to the eloquent address of my friend, the gentleman from Illinois, I am a little bit perplexed with the conclusions that he appears to have reached on the basis of his analysis of the human rights situation throughout Africa as a whole.

I would be the first to agree with the gentleman that, from a human rights point of view, there are many other countries in Africa that leave a lot to be desired, but I fail to see how the abuse of human rights in a country in black Africa constitutes a justification for our failure to do something about the abuse of human rights in South Africa.

If there are real and serious human rights problems in other countries in Africa and around the world, let us by all means deal with them.

A few years ago, when Idi Amin was running Uganda and there were some very serious human rights problems in that country, we held hearings on it, and we reported out legislation calling for a total embargo against Uganda. It passed the House by an overwhelming margin. I did not hear anybody on the other side on that occasion, or on this side, for that matter, get up and say we should not impose sanctions against Uganda because of the situation in South Africa and that it would be duplicitous and hypocritical for us to single out Uganda for sanctions when we were not doing anything at the time about the situation in South Africa. If there are human rights problems, let us deal with them as they come up. We have imposed sanctions against Cuba, Vietnam, North

Korea, Laos, Cambodia, we have imposed sanctions against Poland and the Soviet Union, we have imposed sanctions against non-Communist countries like Libya and Uganda. When those sanctions were imposed, either by the Congress or by the President, I did not hear a lot of people get up and say, "No, let us not act, because we have not yet imposed sanctions against South Africa." People on both sides of aisle, Democrats as well as Republicans, recognize that if there is a serious abuse of human rights that cries out for an American response, we ought to respond, and we ought not to be politically paralyzed by our failure to simultaneously act against every other human rights violation around the world.

So, as they say in the Book, there is a time to reap and there is a time to sow. There is a time to apply sanctions against South Africa and there is a time to move against other countries. And in due course we will.

But, Mr. Chairman, this is really said all by way of one big parenthesis, because I took the floor not to respond to my very good friend, the gentleman from Illinois, but rather to address myself to the amendment offered by the gentleman from California. The gentleman's amendment attempts to, in effect, add the Sullivan principles to this legislation by requiring American firms doing business in South Africa to comply with those principles, but it also provides that any American firm which does comply with the Sullivan principles would be relieved of the prohibition against new American investment in South Africa.

I want to say very clearly to my good friend from California that I personally support the Sullivan principles I have introduced them in the past, together with the gentleman from Pennsylvania [Mr. GRAY], we have reintroduced them as a separate bill this year, and we have a commitment from the very distinguished chairman of the Subcommittee on Africa to not only hold hearings on that bill—

The CHAIRMAN. The time of the gentleman from New York [Mr. SOLARZ] has expired.

(By unanimous consent, Mr. SOLARZ was allowed to proceed for 5 additional minutes.)

Mr. SOLARZ. Now, the chairman of the Subcommittee on Africa, the gentleman from Michigan [Mr. WOLPE], has assured us that he will not only conduct hearings on that legislation but will also move it forward in an expeditious fashion. I am confident that, just as this House voted last year when we took up the Export Administration Act to include the Sullivan principles in that legislation, that when the time comes to vote on this bill, a majority of the Members will support it, because I think most of us would agree that so long as American investment is present in South Africa, at the very least, the American firms

doing business there should comply with these fair employment principles.

My problem with the amendment of the gentleman from California is not so much with his effort to impose the Sullivan principles, which I favor, although as separate legislation, my problem with his amendment is the extent to which it would in effect permit new American investment in South Africa simply by enabling those firms that wish to do business there to set up shop and, by complying with the Sullivan principles, to become eligible for new investment. And this raises, I think, very starkly and very boldly a major issue for American foreign policy, and that issue is whether, in the effort to facilitate the elimination of apartheid, which is our common objective, it is in our interest to encourage new American investment in South Africa or to prohibit new American investment in South Africa. If one truly believes that the best way to eliminate apartheid over time is to further develop the economy of that country through new American investment, then I think the gentleman's amendment makes a lot of sense. If one believes, however, that encouraging additional American investment will not be helpful in terms of facilitating the elimination of apartheid, then I think the gentleman's amendment would be counterproductive.

Let me tell you why I think it is not in our interest to encourage additional American investment in South Africa, which is what the gentleman's amendment would do. For one thing, I reject categorically the argument that economic growth in South Africa is a necessary, let alone a sufficient, condition for the elimination of apartheid. Ever since the establishment of apartheid in 1948, South Africa has experienced enormous growth. Over the course of the last 3½ decades, there has also been an enormous increase in U.S. investment in that country. Today there are over 350 American firms doing business in South Africa. We have \$2.6 billion in direct investment in that country. And over the last 37 years, in spite of this enormous economic growth, in spite of this enormous increase in the American corporate presence, in spite of the enormous increase in direct American investment in South Africa, the situation, from a political point of view, from the perspective of the black majority in that country, has gotten worse rather than better.

□ 1830

The apartheid system is more entrenched rather than less entrenched. So I think that the simplistic notion that economic growth, qua economic growth, is a solution to the problem simply does not hold up to the test of historical analysis.

Why do I believe that a prohibition on new investment is more likely to do the job? I think it is more likely to do

the job because my reading of history tells me that there is not a single example throughout the long, sad saga of the human race, with all of the travails and troubles that we have experienced, of a single ruling establishment in the course of human history which has ever voluntarily divested itself of its power, its prerequisites or its privileges.

The only way that the white minority in South Africa will ever agree to repudiate the apartheid system is if they come to the conclusion that the price of maintaining apartheid exceeds the advantages of retaining it. That will happen only as a result of a combination of increasing internal and external pressure.

Now, I am not among those who would advance the argument that the adoption of the Anti-Apartheid Act of 1985, without the Zschau amendment, is going to bring the apartheid regime to its knees. Let nobody be under the illusion that the adoption of this legislation, and the prohibition on new American investment, will result in the instantaneous repudiation of apartheid and the establishment of a political paradise in perpetuity in South Africa.

The CHAIRMAN. The time of the gentleman from New York [Mr. SOLARZ] has expired.

(By unanimous consent, Mr. SOLARZ was allowed to proceed for 2 additional minutes.)

Mr. SOLARZ. The future of South Africa will primarily be determined by the people of South Africa themselves, black as well as white. It is really up to them. But the United States and other countries around the world do have a role to play in increasing the external pressure on South Africa, which, in combination with the increasing internal pressure, is the necessary, if not the sufficient condition, for the ultimate repudiation of apartheid.

I believe that that is where the United States has an important role to play. That is the significance of the Anti-Apartheid Act of 1985. It will send a signal to the Government of South Africa that we will not continue to do business as usual with the apartheid regime so long as they maintain their system of institutionalized discrimination. It will enhance our capacity to mobilize the support of other countries around the world in an effort to get them to impose sanctions against South Africa as well. That increasing external pressure, in which the United States has the obligation to play a leadership role, together with the increasing internal pressure, is the only hope for the eventual elimination of apartheid. That is why I think my good friend from California's amendment, as well-intentioned as it may be, is sadly mistaken. It would obstruct the elimination of apartheid rather than facilitate it.



The CHAIRMAN. The time of the gentleman from New York [Mr. SOLARZ] has expired.

(On request of Mr. GRAY and by unanimous consent, Mr. SOLARZ was allowed to proceed for 2 additional minutes.)

Mr. GRAY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SOLARZ. I yield to the gentleman.

Mr. GRAY of Pennsylvania. I certainly want to thank the gentleman for his very clear and very concise view on the subject, and certainly I agree totally with him.

I would just like to ask the gentleman a question. As he is one of the major sponsors of the Sullivan principles, known as the Fair Employment Practices Act, and since Dr. Leon Sullivan is a constituent of mine, and I have known him for most of my life, it is your understanding, based on the testimony of Dr. Sullivan before the Subcommittee on Africa, as well as op-ed pieces that he has written in the last few weeks, that he does not stand for his fair employment practices or his Sullivan principles to be a substitute for any of the provisions of the Anti-Apartheid Act?

Mr. SOLARZ. The Reverend Sullivan, or the "Lion of Zion," as he is known to his parishoners at the Zion Baptist Church in Philadelphia, the gentleman whose principles my good friend from California seeks to embody in this legislation, has made it very clear over and over again, that he is in favor of a prohibition on new American investment in South Africa. I think I can say without fear of contradiction that if the Reverend Sullivan were a Member of this Chamber, and were in a position to vote on this amendment, he would vote against it, because while he would like to see his principles mandated by law, he would not want to see them mandated by law if the price of mandating them by law is to permit new investment in South Africa, which is what the gentleman from California's amendment is about.

Mr. GRAY of Pennsylvania. That is exactly the point that I wanted to make. Dr. Sullivan has made it clear ever since 1980 when he testified before the Subcommittee on Africa, and this gentleman from Pennsylvania was a member of that committee, and was chaired at that time by the distinguished gentleman from New York, he has made it consistently clear that the Sullivan principles are not a replacement for the provisions of the Anti-Apartheid Act, and, second, that his principles seek to get American companies to do that which they already should have been doing, which is providing fair employment opportunity within their plants.

What the Anti-Apartheid Act does is it seeks to bring about change outside of the plant in the larger political and economic order, and thus, Dr. Sullivan has made it very clear, including a recent op-ed piece in the Philadelphia

Inquirer, which the gentleman from New York is holding right there, where he clearly says that he hopes there will not be confusion on this issue; that he supports the provisions of the Anti-Apartheid Act of 1985 because it seeks to do something totally different.

The CHAIRMAN. The time of the gentleman from New York has again expired.

(On request of Mr. ZSCHAU and by unanimous consent, Mr. SOLARZ was allowed to proceed for 2 additional minutes.)

Mr. ZSCHAU. Mr. Chairman, will the gentleman yield?

Mr. SOLARZ. I yield to the gentleman.

Mr. ZSCHAU. I have appreciated the reasoning and the explanation of the gentleman from New York, and I have enormous respect for his understanding of history and his ability to predict the future as well. My question to him is taking the Anti-Apartheid Act as a whole, with all of the other provisions in it, without the Zschau amendment, and then comparing that to the Anti-Apartheid Act with the Zschau amendment, what would be the difference, in your opinion, of the impact on the Government of South Africa?

Mr. SOLARZ. I think it would be a very significant difference in that with the Zschau amendment, the Anti-Apartheid Act would no longer result in a prohibition of new American investment in South Africa so long as the firms which do business there comply with the Sullivan principles. That would, in my view, substantially reduce the potential pressure against South Africa which would otherwise be applied with respect to the apartheid regime in that country, because it would become possible for any American corporation that wanted to invest in South Africa to do so simply by complying with the Sullivan principles.

Mr. ZSCHAU. If the gentleman would yield, it would seem to me along the lines of the gentleman's reasoning that the difference is that there would be not so much pressure from the standpoint of a ban on new investment, but there would be in addition a positive pressure from the greater reliance on the Sullivan principles.

The CHAIRMAN. The time of the gentleman from New York has again expired.

(On request of Mr. GILMAN and by unanimous consent, Mr. SOLARZ was allowed to proceed for 2 additional minutes.)

Mr. SOLARZ. I believe that the good which is done by the 350 American firms in South Africa which have a total black work force of 70,000, which is less than 1 percent of the total black work force in the country, is exceedingly limited.

I believe that the American corporate presence in South Africa may well make life in that country more bear-

able for those who work for those companies that are in fact complying with the Sullivan principles. But they do not begin to get the fundamental problem which is the exclusion of the black majority from any opportunity whatsoever to participate in the determination of their own destiny.

The solution to the problem in South Africa requires not incremental economic growth, it requires not a growing U.S. corporate presence.

□ 1840

What it requires is a fundamental decision by the white minority in that country to share power with the black majority, and their willingness to make that fundamental decision to cross the rubicon from racism on the one side to equality on the other will only be made in the context of increasing internal and external pressure, of which the United States, by its policy, has a role to play.

That is why I think if what the gentleman wants, is American firms in South Africa to comply with the Sullivan principles, which is an objective I support, the thing to do is to support the legislation Mr. GRAY of California and I have introduced when it comes up on the floor. But if the gentleman wants to bring an end to the apartheid system, then the way to do it is not to permit additional American investment, but to cut off additional American investment.

The CHAIRMAN. The time of the gentleman from New York [Mr. SOLARZ] has again expired.

(On request of Mr. GILMAN and by unanimous consent, Mr. SOLARZ was allowed to proceed for 2 additional minutes.)

Mr. SOLARZ. By popular demand, I will remain for another 2 minutes, Mr. Chairman.

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

Mr. SOLARZ. I yield to my very good friend, my patient colleague from the Empire State, the gentleman from New York [Mr. GILMAN].

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. I thank the gentleman for yielding and I wish to associate myself with some of the concerns that the gentleman from New York has outlined. While I understand and respect the sincere initiatives of the gentleman from California in support of applying the Sullivan principles as outlined in his amendment, I believe we must go beyond his proposal and support the approach contained in H.R. 1460 as introduced by the gentleman from Pennsylvania [Mr. GRAY]. It is important that our Nation send a much stronger signal, a more significant expression of our repugnance of the apartheid policy of the Government of South Africa.

Mr. Chairman, H.R. 1460, as reported by the Committee on Foreign Af-

fairs, is a far reaching and comprehensive effort to demonstrate our Nation's rejection of apartheid and the cessation of our impatience with the official Government policy of South Africa which continues to support and to promote the suppression of millions of South Africans.

While I recognize concerns raised about some of the bill's mechanisms to respond to any positive steps undertaken by the Government of South Africa, I believe the intention of H.R. 1460 and the statements it makes are necessary to eliminate the more repressive actions imposed by South Africa on its black citizenry. I also want to take this opportunity to commend the ranking Republican on the Subcommittee on Africa, the gentleman from Michigan [Mr. SILJANDER] for his diligent and sincere efforts to develop a proposal to ameliorate the conditions left in the wake of apartheid. He has devoted long hours to this issue and that is evidenced by his erudite presentation.

However, Mr. Chairman, it is extremely important that we act now to take steps more comprehensive than that proposed by the gentleman from California if we are to prevent the widespread hostilities and bloodshed a continuing policy of apartheid would generate. Accordingly, I oppose the amendment and urge support for the original proposal as reported by the committee.

Mr. ZSCHAU. Mr. Chairman, will the gentleman yield?

Mr. SOLARZ. I yield again to my friend, the gentleman from California.

Mr. ZSCHAU. I thank the gentleman for yielding.

Mr. Chairman, the gentleman talks about the increase in the pressure finally bringing about change. Does the gentleman envision that that change would come as a result of a violence, an occurrence of violence; that the pressure finally amounts to the point where violence breaks out, or does the gentleman envision that builds up there will be an evolutionary of peaceful change?

Mr. SOLARZ. I hope change will not be the result of violence I pray that change will not be the result of violence. But I fear that change may end up being the result of violence.

It is precisely because I want to avoid a cataclysmic confrontation between the races in South Africa that I think it is imperative for us to maximize our pressure against the Government of that country, because unless the Government in South Africa is willing to move rapidly away from their apartheid system, I fear that violent change will become inevitable.

Mr. ZSCHAU. If the gentleman will yield further, it seems that the gentleman is really suggesting a combination of pressure and positive actions, which is the trust of my amendment.

The CHAIRMAN. The time of the gentleman from New York [Mr. SOLARZ] has again expired.

(On request of Mr. WOLFE and by unanimous consent, Mr. SOLARZ was allowed to proceed for 2 additional minutes.)

Mr. SOLARZ. Mr. Chairman, as I tried to make clear to my friend, the gentleman from California, insofar as he would like to see the Sullivan principles applied to American firms doing business in South Africa, I agree entirely with him, and we will have legislation to that effect before the House in the relatively near future.

But insofar as his amendment would also permit additional American investment in South Africa, I disagree with him, because I think that works against our common objective. Our common objective is the elimination of apartheid, and one has to ask how will that best be achieved, through incremental economic growth, which is what would be facilitated by increasing investment, or by increasing pressure against the government, which is what would be accomplished by cutting off new investment.

Given those two models of change, my understanding of history leads me to the conclusion that the prospects for change are enhanced by increasing the pressure on South Africa, rather than providing continued incentives for additional American investments.

Mr. ZSCHAU. If the gentleman would yield further, it seems like a combination is also a third alternative, pressure by sanctions on bank loans and exports and things of that nature, and then an internal, positive economic growth for black South Africa.

Mr. WOLPE. Mr. Chairman, will the gentleman yield on that point?

Mr. SOLARZ. I would be happy to yield to the chairman of the subcommittee, the gentleman from Michigan.

Mr. WOLPE. I thank the gentleman for yielding to me for a brief response.

Mr. Chairman, while focus has been placed upon the economic improvement in the lives of some black workers employed by Sullivan code firms, the Carnegie Foundation has been involved in a continuing study of the issues.

The CHAIRMAN. The time of the gentleman from New York [Mr. SOLARZ] has again expired.

(On request of Mr. WOLFE and by unanimous consent, Mr. SOLARZ was allowed to proceed for 2 additional minutes.)

Mr. WOLPE. Mr. Chairman, will the gentleman yield further to me?

Mr. SOLARZ. Let me just note that my human rights are being abused here by the obligation to remain on my feet indefinitely, but I yield to my friend, the gentleman from Michigan.

Mr. WOLPE. I thank the gentleman for yielding to make, I think, the very important point that whatever the economic conditions that have been experienced by those blacks employed by Sullivan code signatories that have been enforcing the Sullivan code, it needs to be understood, as the Carnegie study makes very clear, that there

has been a great increase of poverty in South Africa in the last 20 years as far as the vast majority of the black population has been concerned. The number made destitute by landlessness and unemployment, according to the Carnegie study, rose from some 250,000 to 1.43 million between 1960 and 1980. The number living below a very minimal poverty line but having some income increased from 4.9 million to 8.9 million during that same time frame.

It needs to be understood that the focus upon the economic conditions experienced by black employees of Sullivan code misses the largest part of the South African reality, which has been, No. 1, increased impoverishment of the vast majority of the population, and second, increased repression that has been accompanied in recent months by killings of hundreds and hundreds of blacks by South African police and the detention of all the nonviolent political leadership within the country.

The now move away from precisely the no-new-investment ban that this House passed just last session to create new loopholes in that no-new-investment ban for the purpose of allowing Sullivan code companies to continue to invest in South Africa and to add new capital to the country, I think, would be a terrible mistake in light of those recent developments in South Africa.

Mrs. KENNELLY. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

Mr. Chairman, I want to make absolutely clear, in light of earlier comments made here, that I rise in strong opposition to racism. I do rise in support of the amendment, and I consider it to be both a thoughtful and constructive amendment and regret the decision by my colleague from Michigan and my colleague from New York not to support it.

While I agree with much that they have had to say here, I believe that they are overlooking the fact that experience is an extremely powerful teacher. Those companies that are providing the experience of a workplace that operates according to rules of fairness, of respect for others, of equality, are companies that are providing an experience of enormous importance to individuals.

Imagine the impact, what a powerful difference it must be, to live in a nation governed by the brutal rules of apartheid and work in an environment governed by rules of equality and fairness. That is not a contrast in experience that we should forego lightly. It is one whose presence we should foster and encourage.

The proponent of this amendment, in my estimation, is not proposing that these companies and that the Sullivan principles are a solution. I do not hold that they are a solution. In fact, expe-



rience teaches us that they are not a solution, but they do provide extremely valuable individual experience and community experience so important that that experience should be fostered, enhanced and encouraged.

□ 1850

As to the issue of investment, the few firms affected by this amendment in the totality of investment in South Africa, considering not only American but other investors, this surely would not have a significant impact on the total amount of increased investment in South Africa, and yet it sends the message that we support increasing opportunities for individuals in South Africa to experience a different way of life, the very way of life that we hold out to them as offering hope, opportunity, and a future.

So I see this as a responsible, thoughtful amendment that merely perfects a very good bill and I think affirming the experience that these companies offer cannot undercut this bill, H.R. 1460, whose purpose it is to propose a much stronger policy for this Nation in regard to South Africa and in regard to reversing her domestic policies that support treatment of others that is so repugnant to all of us.

Mr. GUNDERSON. Mr. Chairman, I move to strike the requisite number of words.

(Mr. GUNDERSON asked and was given permission to revise and extend his remarks.)

Mr. GUNDERSON. Mr. Chairman, I want to begin my remarks on this subject, because I am going to talk a lot more later on in the debate, by making it very clear that I believe everyone here has the same intent. We can differ on strategies, and that is fair and legitimate. We can be honorable about it, but let us make it very clear that we all have the same intent and the same goal, and we are not conducting some kind of litmus test on civil rights by determining whether or not we agree on one particular strategy.

The amendment before us is, I believe, very essential to the bill that is now being considered, because we are going beyond the question of whether we simply want to vent our anger at the whites and the present Government of South Africa and whether we want to find ways in which we can make change.

I was one of those Members who had the opportunity to visit South Africa recently, and during my visit there I had an extensive opportunity to talk with various business people, et cetera. One of the things that became very, very clear is that, unlike the United States, in South Africa the business community is more progressive than the Government—not more conservative, but more progressive. They are the leaders of social change. And clearly American business is more progressive than South African business.

What do we do to help bring about change in South Africa, positive, constructive change, by saying no to American investment? No one debates the question that American business interests are the leading community for positive reform and change in South Africa. Presently approximately 70 percent of the American firms that are doing business in South Africa adhere to the Sullivan principles. We ought to mandate that each and every one of those firms do that, and then we ought to set them up as the example and the leadership of where we in this Government want to go to make a constructive change.

Much discussion has been focused in this debate on the amendment offered by the gentleman from California [Mr. ZSCHAU] as to exactly what we ought to do with this question of the Sullivan principles and what we ought to do with the immediate investment, the additional investment, et cetera, and we all, I think, fall prey to the age-old problem of choosing statistics which make us look good in defending our cause and choosing quotes which make us look good in defending our cause.

I would like to read a quote from the fellow who has become at least the moral and spiritual leader of change in South Africa and of the black community in South Africa, if not the official leader of those people, and that is obviously Bishop Desmond Tutu. I would like to read from the speech that he gave on February 3, when he was enthroned as the head of the Anglican Church. Here is what he said:

May I point out that I have not as yet advocated disinvestment. Up to now I have called for international pressure, diplomatic, political but above all economic to persuade the South African Government to go to the conference table with the authentic representatives of all sections of our community.

There is economic pressure used through things such as the different codes to seek to improve the lot of black workers.

That is like the Sullivan principles.

He goes on:

Our concern is not for an amelioration or improvement of the apartheid dispensation. It is to see apartheid dismantled. Consequently I have said that we must all work together to see that goal achieved. I have actually called for increased foreign investment on stringent conditions—that black workers are housed as family units near the place of work of the breadwinner, no migratory labour, the unionisation of the black worker, the only real reform we have had and for which the government must be commended—thus the worker would be free to sell his labour wherever he pleases. So no influx control that applies only to blacks, massive investment in black education and training, an end to the denationalisation of blacks and so to forced population removals. These conditions should be implemented within 18 to 24 months. The onus is on the government. I give notice that if in 18 to 24 months from today apartheid has not been dismantled or is not being actively dismantled, then for the first time I will myself call for punitive economic sanctions.

Mr. Chairman, I will repeat again the words of Bishop Tutu.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. GUNDERSON] has expired.

(By unanimous consent, Mr. GUNDERSON was allowed to proceed for 2 additional minutes.)

Mr. GUNDERSON. Mr. Chairman, I would again like to repeat the words of Bishop Tutu where he is saying that "I have actually called for increased foreign investment on stringent conditions."

The amendment offered by the gentleman from California [Mr. ZSCHAU] does exactly that. It sets out the stringent conditions, the Sullivan principles, which each and every Member of this body adheres to. And above and beyond that, what are we saying is let us have that increased foreign investment, let us have the conditions it has provided, and let us have the sanctions the gentleman from Pennsylvania [Mr. GRAY] offered earlier, and we will have a positive step toward achieving positive reform in South Africa.

We must answer the question with this particular amendment because I think we all recognize that the chances of the substitutes passing are not all that good—even mine. We must answer the question, do we simply want to make a moral statement that simply makes us feel good, or is our goal trying to be a positive influence on constructive change in South Africa?

Mr. Chairman, I ask that we support the amendment offered by the gentleman from California [Mr. ZSCHAU].

Mr. WOLPE. Mr. Chairman, will the gentleman yield?

Mr. GUNDERSON. I am happy to yield to the gentleman from Michigan.

Mr. WOLPE. Mr. Chairman, I thank the gentleman for yielding.

I wanted to make the point to the gentleman that the legislation that is before us in its original form, without the amendment, provides not only for sanctions but also for a waiver of those sanctions if one or more elements of the system of apartheid are in the process of being stripped away or being dismantled. In fact, if there is continuing progress toward the elimination of apartheid, effectively prohibitions could be delayed, except for the bank loan prohibition, or could be suspended for some 4½ years to provide a reasonable time for that process of dismantling to be accomplished.

What Bishop Tutu was urging was that in 18 to 24 months he insisted that—in fact, some of his language suggests that he was talking about the total abolition of apartheid—or he said the active dismantling of apartheid had to be initiated. And I submit that our legislation, in the form in which it has been crafted, is far more consistent with the thrust of our goals.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. GUNDERSON] has expired.

(By unanimous consent, Mr. GUNDERSON was allowed to proceed for 1 additional minute.)

Mr. GUNDERSON. Mr. Chairman, I will yield further to the gentleman from Michigan to allow him to complete his statement, and then I will take time to respond.

Mr. WOLPE. Mr. Chairman, let me just say to the gentleman that I, and others, have had long conversations with Bishop Tutu on this very subject. It is my belief that what he contemplates in that 18 to 24 months, the timeframe to which he referred, is that actual disinvestment measures could be applied if indeed progress had not been very, very manifest.

Our legislation does not call for disinvestment. It is really much more modest than that.

Mr. GUNDERSON. Mr. Chairman, let me reclaim my time. I realize that, and I have not made the charge that it does.

All I want to do is make it clear that even Bishop Tutu in the short term calls for increased foreign investment. That is why I think the gentleman's amendment makes so much sense, because it is saying that those American companies which abide by the Sullivan principles ought to be allowed to continue.

Mr. Chairman. I yield back the balance of my time.

□ 1900

Mr. SILJANDER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment. There was a comment made by the chairman of the committee that even though we have had signatories to the Sullivan principles of approximately 139 of the 350 American firms, that poverty has increased and the problems of the country have also increased.

Well, I am not so sure that we can blame that on signatories of the Sullivan principles or blame that on U.S. firms. Besides the fact that there is a recession and besides the fact that over half the population, black population in that country is under 20, that cannot camouflage the reality that the Sullivan principles over the recent several years have, in fact, contributed significantly to assisting blacks in South Africa. For example, since 1977, American firms have contributed \$100 million for black education, black health and black housing. That cannot be ignored.

There are 77,000 black workers in U.S. firms. If the figures are right, those 77,000 employees feed between 6 and 10 other mouths, that 77,000 black employees becomes 462,000 to 777,000 mouths, black mouths, that are being fed.

Pace College in Soweto is a beautiful example of how productive U.S. firms can be and those that have signed the Sullivan signatories; \$5 million was invested to build Pace College. It is one

of the more advanced schools in South Africa in the category of white or black. There are 28 classrooms and no one is turned away. Not one black is turned away for lack of financing. In fact, 90 percent of all the students there are under scholarships by U.S. firms.

The Sullivan principles have helped, clearly, black upward mobility.

Mr. WALKER. Mr. Chairman, will the gentleman yield?

Mr. SILJANDER. I am happy to yield to the gentleman from Pennsylvania.

Mr. WALKER. Mr. Chairman, I think the point that the gentleman just made is a rather important one, because we have heard the argument time and time again that the Sullivan principles do not reach beyond the workplace, that somehow to be for the Sullivan principles does not get you beyond workplace criteria.

I think the gentleman has just pointed out how in this particular instance it has reached well beyond the workplace. It is helping to educate a coming generation of black South Africans that will in fact be leaders, not only in business and industry, but will become leaders in many aspects of life in South Africa.

So in fact in this case the very application of U.S. money and the application of the Sullivan principles has led to the development of an educational institution with broad ramifications far beyond the workplace; so I think the gentleman makes a very important contribution and I thank him for yielding.

Mr. WOLPE. Mr. Chairman, will the gentleman yield?

Mr. SILJANDER. I would be happy to yield.

Mr. WOLPE. Mr. Chairman, I thank the gentleman for yielding to permit me, if I may, to quote from some testimony of Bishop Tutu before our committee not long ago.

Mr. SILJANDER. Just to regain my time for 10 seconds, I hope the gentleman recognizes that I only have 5 minutes.

Mr. WOLPE. I will make a motion that the gentleman's time be extended.

Mr. SILJANDER. I yield to the gentleman from Michigan.

Mr. WOLPE. I thank the gentleman.

Mr. Tutu said before our committee:

I have tried to say to people that you should be aware that if I sat here and said before this committee that I support economic sanctions against South Africa, that that is an indictable offense and until recently on conviction the mandatory minimum sentence would be five years imprisonment, which indicates how the South African Government regards the importance of foreign investment. I have gone on to say that I do not in fact support the Sullivan code. While it has brought about some changes and improvements for some black workers, the basic weakness is that it is ameliorative, merely making things slightly more comfortable. Somebody has said we don't want our chains made comfortable. We want our chains removed.

I say to the gentleman, my distinguished colleague from Michigan, the ranking member of our committee, the point I was making earlier with respect to the Sullivan code signatory companies is not that they were responsible for the economic impoverishment of the vast majority of the black population. That was not my point. My point is that whatever economic improvement has attached to the lives of those blacks employed in the Sullivan companies, and I would fully acknowledge that many of these companies have made some very constructive contributions to those blacks employed by these firms.

I want to just restate that I believe that some of these firms that have adopted the Sullivan code that have recognized black trade unions and that have engaged in some very important efforts at establishing desegregated work environments and the like have made important contributions. I do not deny that. I have affirmed that on many occasions.

The point I am trying to make is that the amendment that is before us would call for a weakening of the flat prohibition on new investment in the circumstance in which economic impoverishment for the vast majority of the population is actually increased and political oppression has intensified.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(By unanimous consent, Mr. SILJANDER was allowed to proceed for 3 additional minutes.)

Mr. SILJANDER. Mr. Chairman, I yield to the gentleman from Michigan.

Mr. WOLPE. Just to conclude, Mr. Chairman, and to summarize, to move now to weaken the bans that are contained in this legislation, they are very modest measures, really, I think is a mistake in the face of the clear data establishing the massive impoverishment of the majority of the population and the intensified repression in the country, it would be a terrible mistake, it seems to me, to back away from the position this House took only in the last session of Congress.

Mr. SILJANDER. Mr. Chairman, to regain my time again, may I just ask the gentleman a question. The gentleman mentioned and quoted the testimony of Bishop Tutu, as the gentlemen quoted him saying, that it is, in fact, illegal to talk against prodismvestment. Is that correct?

Mr. WOLPE. That was Bishop Tutu's comment.

Mr. SILJANDER. The gentleman said it was an indictable offense? How many people have been indicted under that law in South Africa, just out of curiosity?

Mr. WOLPE. I cannot give the gentleman that particular number, but I can attest to the intimidating impact of that kind of law.

Mr. SILJANDER. Well, it cannot be too intimidating, because in 18 years,



granted the law is bad and should be repealed, but also on balance, one person was indicted in 18 years and not convicted or charged for the charges were dropped. That was in 18 years.

Mr. WOLPE. I would only note, if the gentleman will yield further, that in this past year several thousand people have been arbitrarily arrested and detained because they dared to defy the system of apartheid.

Mr. SILJANDER. The detention rule is specifically a separate item which I have articulated on the floor a little earlier. The detention law, in fact, 18 million people have been detained for a host of reasons, some for actually totally illegitimate reasons; but to regain my time and to finish my point regarding the Sullivan principles, I think it is clear and I am glad the gentleman from Michigan has essentially agreed that the Sullivan principles have in fact, at least to some reasonable degree, contributed in a positive impact on that country and that society and the black community.

I only further state that one reason to support the amendment of the gentleman from New York [Mr. ZSCHAU] is to shore up the concern of the chairman, the gentleman from Michigan. He was concerned that some of the Sullivan signatories were not, in fact, fulfilling the obligations of the code, even though they had signed the code.

I would submit to the gentleman that by making this part of the bill, by making this essentially mandatory, cutting off new investment, most industries would be obligated to fulfill that obligation and all industries would likely be obligated, in fact, to become signatories.

I would further argue that if we do not have the Zschau amendment and we have banning of all new investment in South Africa, what incentive would there be for those that are signatories, that have contributed to the system, what incentive is there for them to remain as signatories and fully comply?

I would argue that many of them who are not complying may totally drop the Sullivan principles altogether, thereby complicating the economic conditions of South Africa.

Mr. CONYERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to address a question to my friend, the gentleman from Michigan [Mr. SILJANDER], who has on more than one occasion raised the question or the statement that \$100 million has been generously donated by American corporations for charitable purposes.

I have asked the subcommittee staff and they do not have much information on that. Can the gentleman enlighten us on who, when, where, what, how much?

In other words, this is a wonderful gesture of benevolence, but we do not have much record of it. The check

may be in the mail, but that is not sufficient for our purposes in the debate.

Mr. SILJANDER. Mr. Chairman, will the gentleman yield?

Mr. CONYERS. Yes, I yield to my friend.

Mr. SILJANDER. I would be more than thrilled to cite in the next 10 or 15 minutes, if the gentleman will be reasonable enough to give me the time, the specific amounts of money to the specific programs since 1977. Those programs in fact have contributed \$100 million to black education, black housing, and black scholarships.

Mr. CONYERS. Well, the gentleman can take the time. We are going to be here on this matter for a number of days, so there is no particular rush.

Now, let me ask the gentleman another question, because I had to again refer to the staff as my mathematical abilities are rather limited.

□ 1910

Does the gentleman know what the ratio of 66,000 is to 9 million? I ask the gentleman from Michigan [Mr. SILJANDER], my friend, do you know what the ratio of 66,000 is to 9 million? That is the 66,000 black Africans that work for American corporations as opposed to the 9 million black Africans in the work force.

I will tell the gentleman I did not know either. It is eight-tenths of 1 percent.

I would like the gentleman to reflect upon that fraction, to understand the significant dimension of the Sullivan principles even at their fullest enforcement.

Mr. GUNDERSON. Mr. Chairman, will the gentleman yield on that point?

Mr. CONYERS. With pleasure.

Mr. GUNDERSON. I appreciate the gentleman yielding because that is the whole problem. I will guarantee you if economic sanctions would work I would be down here supporting them. I would be the author of the bill. I think that I have as close to a perfect civil rights record as anybody in this Congress.

But when you talk about 100,000, which I have heard, blacks working for American companies, when you talk about 3 percent of the GNP coming from American companies in South Africa's GNP, you quickly realize we cannot only ban new investment, we can require total disinvestment and we are still not going to be any more of a contributor to constructive change in South Africa.

Mr. CONYERS. That is another question which I am happy the gentleman raises, because the fact of the matter is that our contribution is highly capital intensive—the computers, the automobiles and vehicles, the oil, and the technology. There is not that mass of unskilled labor effect on our investment, and so what we have with disinvestment really is the best of all worlds. And, as the gentleman knows, we are No. 1 in trade and No. 2

in investment, which really makes us the biggest dealer with South Africa of any country in the world.

So as a result of that, what we would be doing by economic sanctions is getting the best of all worlds. We would be disemploying a very minimal number of black South Africans, but removing our support for the economic investigation of the apartheid system. If we loaded on the Sullivan principles, made mandatory enforcement, had an excellent review system, which we do not—and, by the way, all of the American corporations are not on to Sullivan even in 1985 as we debate this measure—but even if we did we would get back to that fraction, eight-tenths of 1 percent. That is the real world.

So with all due deference to Leon Sullivan, a very good friend of mine, these matters become relative modest in view of the magnitude of the number that we are dealing with.

I yield back the balance of my time.

Mr. GINGRICH. Mr. Chairman, I move to strike the requisite number of words.

When the gentleman from Pennsylvania offered steps against South Africa last time, I voted for it. I thought it was a good, symbolic vote to prove that we dislike and indeed condemn apartheid. And in the November-December period when the demonstrations against apartheid in South Africa attracted attention, along with 34 other Republicans, led by the gentleman from Pennsylvania [BOB WALKER], I signed a letter to the Ambassador of South Africa calling for an end to apartheid and threatening severe steps if violence continued and if the South African Government fails to move to take steps toward integration and political equality.

It is clear that in fact at the present time the South African Government has not done that. Neither has the violence stopped. Nor have they taken steps toward political equality. But I would raise questions of several of my colleagues who have talked about history and about reality in that when you study systematically the history of South Africa and you talk about South Africans, there are two major things I think that stand out about the current bill and that the amendment offered by the gentleman from California [Mr. ZSCHAU], I think, improves.

I will talk briefly about both of them. The first is the question of the power of resistance of South African whites, and the second issue is who teaches South Africa how to be a free, integrated country.

On the first question, when we met with Chief Buthelezi, he said very explicitly if you can impose sanctions severe enough to require fundamental change by my government, go to it, but do not play games where all you do is lower the black standard of living, increase black unemployment,

weaken black opportunity and do nothing fundamentally to change South Africa.

Now, when we cut off South Africa from American arms sales, a noble gesture against apartheid, do you know what happened? South Africa then becomes the eighth largest exporter of arms in the world. They built their own arms industry. They now hire people making weapons and they sell to everybody else in the third world who is quite happy to buy them.

Let us look at the question of how we are going to coerce the South African whites. What signal are you going to send to the dominant apartheid faction in South Africa, the Boars? The Boars, the last time they correctly challenged for control of their country and fought the British for more than 2½ years, they had virtually all of their population in concentration camps and ultimately were stopped only by sheer overpowering military force. You are going to now say to them no new investment unless you end apartheid?

The question I would ask secondly is, if all you are doing is a symbolic pinprick that will irritate the whites, worsen the standard of living of the blacks, minimize American influence, who fills the vacuum?

The reason I like the Zschau amendment and the reason frankly I almost would suggest now we seriously consider encouraging American investment in South Africa, if it is pro integration, if it meets a set of standards is because I have been asking the question of myself: If you were a South African white and you were sitting in southern Africa, and you were looking at Ethiopia, if you were looking at Uganda, if you were looking at Zimbabwe, and you were saying to yourself should I bet on extreme conservatism and a police state and a war, if necessary, or should I gamble on voluntary change, who is going to be sitting here at the country club or sitting there at the business lunch, who is going to be anywhere saying to them it is possible to integrate, it is possible to open up, it is possible to change? If we discourage American companies, who is going to teach the South Africans, who is going to inspire them?

Abba Eban, the former Foreign Minister of Israel in a recent book on foreign policy said that the greatest weakness of the liberal American drive for human rights is its inability to recognize that Iran could get worse, that Nicaragua could get worse, that moral gestures in and of themselves do not necessarily work.

I would suggest that the Gray-Solarz approach in its current form will fail because it will neither frighten the Afrikaners nor will it lead to integration. The least it will have is almost no impact at all, but at worst what it will do, at worst it will weaken the South African economy, it will further isolate the white South Africans making them less likely to risk change, and it

will further impoverish the black workers and thus lead more young unemployed blacks into radical, violent movement. It will further weaken American influence in South Africa, and it will create a vacuum which will at best be filled by Europeans, Japanese, Arabian firms, none of whom have any experience at integrating societies, none of whom have any experience of organizing an integrated system.

Let me suggest that the Zschau amendment basically is a step in the right direction. The Zschau amendment says if you American companies are willing to commit yourselves to integration, if you are willing to be in a sense the schools of democracy, or if not, it is basically a very conditional amendment.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. GINGRICH] has expired.

(By unanimous consent Mr. GINGRICH was allowed to proceed for 3 additional minutes.)

Mr. GINGRICH. It requires that Americans be allowed into South Africa only under circumstances where they are going to be systematically trying to increase the level of integration in South Africa.

Mr. SOLARZ. Mr. Chairman, will the gentleman yield?

Mr. GINGRICH. I am glad to yield first to my distinguished friend from New York [Mr. SOLARZ].

Mr. SOLARZ. I thank the gentleman for yielding. I really have two questions that I wanted to ask him.

The first has to do with the letter that he, together with a number of his colleagues on the other side of the aisle, sent to the South African Ambassador on December 4. In that letter the gentleman will recall he said, as did his colleagues:

We are looking for an immediate end to the violence in South Africa, accompanied by a demonstrated sense of urgency about ending apartheid. If such actions are not forthcoming we are prepared to recommend that the U.S. Government take the following two steps: One, curtail new American investment in South Africa unless certain economic and civil rights guarantees for all persons are in place; two, organize international diplomatic and economic sanctions against South Africa.

□ 1920

Now, since that letter was sent 240 blacks have been killed by the Government of South Africa. Is the gentleman now telling us that he is repudiating that letter?

Mr. GINGRICH. No.

Mr. SOLARZ. Do the sentiments that he expressed on December 4 no longer reflect his views?

Mr. GINGRICH. If I can reclaim my time, I am saying first of all that I very much reinforce that letter, that the Zschau amendment is conditional investment that says only if South Africa is willing to accept integrated companies, integrated workplaces, opportunities for blacks to learn the

skills, of leading teams, of being involved in industrial life, only then is there investment. But let me go a step further, I am saying to my friend as a challenge, a leader on the Foreign Affairs Committee, that there are two things that his side has not confronted yet. One is if you seriously want to take on coercing South Africa, that is a very different issue indeed. It is one which I think has to be looked at in the long run. And that involves I think a systematic application of power on the scale none of us has talked about.

Mr. SOLARZ. If the gentleman will yield further.

Mr. GINGRICH. I yield to the gentleman.

Mr. SOLARZ. This leads to my second question because the gentleman has criticized the Anti-Apartheid Act of 1985 for a number of reasons, one of which is that it, paradoxically, does not go far enough, that it is only sufficient to irritate the Afrikaners and perhaps drive them further into a lock but not powerful enough to induce the kind of change he says we both seek. If that is the case, is the gentleman prepared today to say to the House that when the gentleman from California [Mr. DELLUMS], offers his substitute which will require total disinvestment of American corporations from South Africa and which will establish a total embargo against trade with South Africa that he will support that substitute?

The CHAIRMAN. The time of the gentleman from Georgia [Mr. GINGRICH] has expired.

(By unanimous consent, Mr. GINGRICH was allowed to proceed for 3 additional minutes.)

Mr. GINGRICH. I will yield in just a second, but let me first of all answer the gentleman [Mr. SOLARZ].

I admire his notion that the prospect of a little bad medicine ought to be replaced by a lot of bad medicine. But let me explain why. I think there are two challenges that the gentleman is having a hard time wrestling with that he does not want to hear. The first is show me a series of actions so powerful that the hard-core resistance of the central government, and I do not mean the extreme rightwing fringe, of the central Government of South Africa understands what we are really talking about. I think you can do that. I think though that it involves very serious international actions, it involves bringing together a multinational effort but I think it could be done and I am willing to work with the gentleman to do that because the first test I am raising here, I say to the gentleman from New York, is the test of effectiveness in breaking the back of resistance of the South African Government to the fundamental question of whether they can integrate.

The second question which I think is equally hard I would say to the gentleman is if you get them to turn to you



tomorrow morning and say "Fine, I want an integrated democratic society," who is going to teach them? The Americans that you partially pull out or the Americans that the gentleman from California [Mr. DELLUMS] totally pulls out? Because I asked some South Africans who work for American companies what would happen if we asked you to disinvest?

They said "I would take my savings and I would buy that company." Now you think that at a fire sale in which Afrikaners are buying American factories that they are going to mind the fact that we apply pressure? They will think that they are rich.

Mr. SOLARZ. Mr. Chairman, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from New York.

Mr. SOLARZ. I simply say to my friend from Georgia that if he is not prepared to support the Dellums substitute then do not say to the Members in this Chamber that he is opposed to the Anti-Apartheid Act of 1985 because it does not go far enough. Because if what he is concerned about is we are not doing enough he ought to be supporting the amendment.

Mr. GINGRICH. Obviously the gentleman did not hear me because the point I am making is the Dellums amendment will not work either. It will further isolate the United States. All it will do is make sure that the Germans, the Arabians, Japanese buy the American companies or the Afrikaners do. Now how does that help integration in South Africa?

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. GINGRICH. I yield to the gentleman from Michigan.

Mr. CONYERS. I thank the gentleman. May I ask him if he has not implicitly made a case against these sanctions on Nicaragua that he so enthusiastically—

Mr. GINGRICH. Absolutely; I did not enthusiastically support it. I did not enthusiastically support them.

Mr. CONYERS. Well, I am glad to hear him say that.

Mr. GINGRICH. Let me say to the gentleman from Michigan that it is precisely because I think the sanctions against Cuba have been irrelevant, while doing nothing to Castro but hurting the Cuban people—the embargo against Nicaragua in isolation is an irrelevancy and hurts America more than it hurts Nicaragua. And if this administration is not prepared to take systematic steps on Nicaragua it ought to drop the embargo. I agree with the gentleman on that point.

The point I am making to my friend from New York [Mr. SOLARZ] is simply unilateral economic actions by America weaken us more than they weaken the South African segregationists.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. GINGRICH] has again expired.

(On request of Mr. ZSCHAU and by unanimous consent, Mr. GINGRICH was allowed to proceed for 3 additional minutes.)

Mr. GINGRICH. Let me yield to my very distinguished Budget Committee Chairman.

Mr. GRAY of Pennsylvania. I thank the gentleman for yielding.

Mr. Chairman, let me ask the gentleman a question. We have had many conversations about this.

One, as I listened to him it would sound that he is giving a very good argument that we end up doing nothing at all. I know that is not what he is saying. But as you listen to the argument it would be "Let's do nothing because nothing is effective and nothing can bring about change."

I would simply ask the gentleman, some time ago, I think it was just a few months ago, we in this country stood up for what we thought was something that was an outrage, that occurred in the world in another nation. It occurred in a totalitarian state, a state where people were being oppressed, a place where no one, by the way, was being shot down on the streets as 500 have been killed in the last 6 months in South Africa, but a place where a group of labor people were trying to fight for dignity and human rights and that place was Poland. Could the gentleman tell me how did he feel about the President of the United States, through executive action, applying sanctions there, since obviously no one in their right mind would imagine that we were going to bring down that government? How did the gentleman feel about that?

Mr. GINGRICH. I think the gentleman—

Mr. GRAY of Pennsylvania. And how did the gentleman vote on the resolution on the floor which I think passed overwhelmingly?

Mr. GINGRICH. Well let me proceed. I think the gentleman makes my point. In the case of Poland, given the military power of the Soviet Union and the fact that Poland for all practical purposes a Communist ally of the Soviet Union, there are no effective steps and we have proven it in the last 3 years, there are no effective steps other than the moral indignation that we can take. Now I do not think the gentleman is suggesting, and maybe he misunderstood the point I was making.

Mr. GRAY of Pennsylvania. I am just asking the gentleman one question.

Mr. GINGRICH. And I am trying to answer.

Mr. GRAY of Pennsylvania. And that is did he or did he not support the sanctions on Poland?

Mr. GINGRICH. The gentleman is saying to me that South Africa is supported by—

Mr. GRAY of Pennsylvania. I am just asking the gentleman a question.

Mr. GINGRICH. And I am reclaiming my time.

Mr. GRAY of Pennsylvania. If the gentleman will let me have 30 seconds.

The CHAIRMAN. The gentleman from Georgia controls the time.

Mr. GRAY of Pennsylvania. If the gentleman will give me 30 seconds, I will tell him why I asked the question.

The CHAIRMAN. The time of the gentleman from Georgia [Mr. GINGRICH] has again expired.

(On request of Mr. WALKER and by unanimous consent, Mr. GINGRICH was allowed to proceed for 4 additional minutes.)

Mr. GRAY of Pennsylvania. If the gentleman will kindly yield, I would tell him why I asked the question.

Mr. GINGRICH. I am honored. I yield to my friend from Pennsylvania.

Mr. GRAY of Pennsylvania. I thank the gentleman. I want to thank the gentleman from Georgia.

The reason I asked the question is simply this: I would agree with the gentleman that sanctions or restrictions alone do not change a government. It is a statement of what we stand for as a nation, that which we hold dear.

So when we made that statement in Poland no one thought that the Communist government there was going to be overthrown overnight. But one thing one might say happened is that Lech Walesa is alive today because the President of this country said "Let's light a candle." I think there are many people who did not get shot down in the streets of Warsaw and other cities in Poland because this Nation made it very clear very early. So the reason why I am asking the question is that if we applied the same, if we applied that standard in Poland, what is the difference in Southern Africa? What is the difference in South Africa? That is the reason why I asked the question.

Mr. GINGRICH. I think there is a very big difference. The question is what is the gentleman from Pennsylvania seeking to accomplish? If his purpose is to make America feel better by voting for sanctions so we feel morally superior, and let me say this, OK, then I think he is doing the right thing. Because Poland is not going to become free as long as the Soviet Union Army occupies it. Poland is a situation where the most you can do that is effective is moral actions.

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In South Africa, we have an opportunity to educate white South Africans into believing that it is possible to integrate and be free, and we have an opportunity to educate black Africans into an American way of life, an American system of labor-management relations, that are vastly superior to what they are used to.

Now I think the American way of life is good enough and is positive enough and is freedom-producing enough that Mr. ZSCHAU's amendment, it seems to me, is useful if your long-

run goal is a free, democratic integrated South Africa.

I do not see any hope of a free Poland in the foreseeable future, but I do see a possibility, and as I said a minute ago, and the gentleman from New York seemed to misunderstand me; I would be willing to participate in trying to frame extremely tough international sanctions from this standpoint: The goal has to be to break the back of resistance, not just to play games with; not just to irritate them in public, because you are not going to change the South African Government by irritating them and humiliating them in public.

You are going to change them either by gradually helping them educate their own population; which I think the Zschau amendment helps dramatically; or you are going to do things that are very aggressive and antithetical, I suspect, to my friend from New York's general beliefs about America's role in the world.

Mr. GRAY of Pennsylvania. Well, I certainly would agree with the gentleman in some respects, but I certainly would not agree with him on at least two points.

My goal is not to educate the majority there to the American way of life. I think it is to educate them about what we stand for in values, and that is justice and freedom, and I think that that is what counts, and not the Americanization of the black population.

The other thing that I would just simply say to the gentleman is that in the bill, there is exactly what you want. The President is asked to do that.

Mr. GINGRICH. I reclaim my time.

Mr. GRAY of Pennsylvania. I give back the time.

Mr. GINGRICH. I was just going to say to the gentleman from Pennsylvania, I thought that the American way of life was those simple ideas; like how to run a democracy; how to have elections; how to work together, but those are not simple ideas. It is not just abstract moral values. It is the daily process of working together in the workplace, of blacks and whites learning to work in an integrated society.

Mr. GRAY of Pennsylvania. But can you teach it to the white population in South Africa as well? Why do not you teach them?

Mr. GINGRICH. I think precisely you can. That is why the Zschau amendment is a major step toward saying that white South Africans will have a chance to work in integrated workplaces under American values, and I think it is a superb amendment, and I yield back.

Mr. FRANK. Mr. Chairman, I rise to strike the requisite number of words.

Mr. Chairman, I had been wondering what had happened to the letter that was sent by 35 of our colleagues on the other side of the aisle to South Africa, and after listening to the gentleman from Georgia, it must have come back addressee unknown, because he appar-

ently wrote the letter to a different group of people than he has suddenly discovered are there.

I will yield to him when I am finished, but I want to say that he will, I hope when I am through, understand why with the best intentions in the world, and indulging that parliamentary impulse to think only the best of another's motives, a certain skepticism about some of what he said bubbles up from time to time on this side of the aisle.

Essentially, it sounded to me like the gentleman was making any argument he could to avoid taking any serious action whatever. We had a very fine and tough-sounding letter, and it said: We'll organize international diplomatic and economic sanctions against South Africa.

Now the gentleman says: "Well, but those will only be irritating." Then the gentleman said, he would, however, be willing to take the lead in organizing really tough sanctions.

The question to the gentleman then is, why hasn't he? The gentleman from Georgia has never previously awaited the permission of the gentleman from New York or the gentleman from Michigan. If the gentleman from Georgia seriously felt it was important to organize far tougher sanctions, if he genuinely means that his problem with this is that among other things, it is too weak, then why has not he used his ingenuity and his considerable talents for publicizing issues to do that? The gentleman has not been constrained. He is not a black South African; he is a white American Member of Congress.

If he really meant that this is too little and more should have been done, then I think he should have been doing something about it.

I also find it interesting that we now hear, in the context of our effort to apply some sanctions against this terrible, racist Government of South Africa, that some of our colleagues are not quite so enthusiastic as some of us mistakenly thought they were, about sanctions against Cuba.

These are the first bad words I have heard spoken against sanctions against Cuba. Apparently the gentleman from Georgia thinks we should not have had sanctions against Cuba. Apparently the gentleman from Georgia thinks we should not have had some of these economic sanctions against Cuba. He says they were not very effective, the sanctions against Cuba. He said all they did was make the Cuban people worse off.

Well, I am interested to hear it. I have to say when it is only in the context of our effort to do something against the racists in South Africa, that we are told that maybe, in response to a question, it did not work so well against the Cubans, I get a little bit skeptical.

I think it is very important for us to do the kinds of things that are being talked about now because, unlike the

gentleman from Georgia, I do not see any sign that the minority in South Africa, who control that country by force of arms, are in fact ready to move any more than they have to.

I think without great pressure they are not going to move. Now, the gentleman's argument is that this may not be enough pressure. Maybe he is right. At that point I would say to him, "Come forward and tell us what more you have in mind, and let's talk about it." No one is constraining him.

I think in the current state of this Congress, with this administration, we will be doing well to get these things.

If the gentleman genuinely believes that the problem is that we have to go further, then I will be glad to go further.

I yield to the gentleman from Georgia.

Mr. GINGRICH. Let me make two points again to the gentleman. You, yourself just used the term "great pressure." I think that if we are seriously, at some point going to take on the South African Government in attempts to coerce them into change, it is going to require multilateral action, and vastly tougher action than anything we have seen since World War II.

Second, my point about Cuba—and I say this about Nicaragua—is twofold. You can make a case that it has increased the cost to the Soviet Union, of having to subsidize Cuba as a colony through our sanctions. I think that is a rational case.

You can make no case that either in Nicaragua nor Cuba are we likely to undermine a Leninist regime by sheer economic sanctions.

My only point—

Mr. FRANK. Is the gentleman in favor of the sanctions against Cuba and Nicaragua or opposed to it?

Mr. GINGRICH. I will be in favor of them only as part of a general policy of coercing those governments.

Mr. FRANK. But the world is—the gentleman knows the world—

Mr. GINGRICH. The gentleman did not hear me. You were talking before I answered.

Mr. FRANK. I would like to rephrase the question. I apparently phrased it insolently, for which I apologize and beg the indulgence of the House, and I am going to phrase it again so I can get the answer that I think would enlighten us and elucidate more.

The question is this: The gentleman knows the general policy in the current state of the world, with Ronald Reagan as President, George Shultz as Secretary of State; all those people there doing what they are doing; does the gentleman today favor the continued imposition of sanctions against Cuba and Nicaragua?

Mr. GINGRICH. I favor them against Cuba as an indirect cost to the Soviet Union; if this administration by early this fall does not have a compre-



hensive program in Nicaragua, I would oppose them in Nicaragua, and I would suggest we ought to go ahead and reach some kind of conciliatory acceptance of Nicaragua.

Mr. FRANK. So you are giving Reagan a deadline; he has got to shape up or you are against the sanctions—

Mr. GINGRICH. Sure.

Mr. FRANK. Against Nicaragua. How about Cuba? Has he got a deadline in Cuba?

Mr. GINGRICH. In the case of Cuba, the cost to the Soviet Union—you are saying to me, your sanctions are going to successfully drive South Africa into the Soviet Union's arms—

Mr. FRANK. No, I am not saying any of that. The gentleman, understandably, wants to get off the point of comparison.

(By unanimous consent, Mr. FRANK was allowed to proceed for 3 additional minutes.)

Mr. FRANK. I thank you, because the gentleman wants to get off the comparison. The point is, he is in favor of the sanctions against Cuba, and against them against South Africa—I think costs are relevant; I think the people in South Africa are not wholly undecided about costs.

The point is that there is a great deal of similarity in the case for sanctions in both situations. Sanctions are one way we have of expressing American opinion.

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It may not be that they are sufficient, but when the gentleman from Georgia says, "Well, sanctions are not enough, if you are really serious, then you have to organize an international multilateral force," I would say two things: First of all, there have been efforts to organize multilateral pressures against South Africa, and this Government vetoed them time and time again. There were efforts in the United Nations to do that. There is a potential to organize, as the gentleman from Georgia has suggested, a multilateral force against South Africans, not physical force, but sanctions, and they are vetoed by the American Government.

Mr. CONYERS. Mr. Chairman, will the gentleman yield?

Mr. FRANK. I yield to the gentleman from Michigan.

Mr. CONYERS. I want to compliment the gentleman, because greater economic investment in South Africa from 1970 to 1981, where we tripled our involvement, has led to increasing violence and oppression. So it seems to me that sanctions are in order. And the question is whether we want legal sanctions or involuntary sanctions that may arise from an uprising in that country.

Mr. FRANK. I thank the gentleman. I think two points are relevant: First, there is a general kind of conservative approach to issues in this country whereby some people are always for

the remedy that is 10 years old. When it first comes out, they were not for it. Once 10 years have elapsed and its weaknesses may have become apparent, and people have gotten used to working around it, then they are retroactively for it. We see this in the area of antidiscrimination, we see it now with the Sullivan principles. The Sullivan principles have now got a lot of defenders when they could not be found when Sullivan was first doing his principles. And I would predict now that if we do go ahead on Krugers and cutting off investment, 5 years from now, if we need to go further in this progression, the people who are against it today will be for it then, but they are never for it at the time. They are always for the last one, after it has worn out.

Second, I think, as the arguments of the gentleman from Georgia make clear, if he wanted to organize sanctions against South Africa, he could have been doing that. His inconsistent position of sanctions regarding the Cuban situation I think makes a point. There are people who cannot condone apartheid. There are people who are moral enough to oppose apartheid in principle but who do not think that we ought to do very much about it. That is the question that is now before us.

I yield to the gentleman from California.

Mr. ZSCHAU. I thank the gentleman for yielding. On the outside chance that it may change his vote on this amendment, the author of the amendment, the gentleman from California, does oppose the sanctions on Nicaragua.

Mr. FRANK. I thank the gentleman.

That chance is so far outside that I do not think it is worth worrying about right now.

Mr. WALKER. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment but also to make a point, since the issue of the letter that several of us had signed has come up on a couple of occasions.

I think it is rather interesting that when we on our side of the aisle do something which I think nearly everybody acknowledges had some impact on the debate on this whole issue, and even Bishop Tutu has cited as being something which was instrumental in helping his visit to this country, that we then are supposed, as I take it, to then sign on to anything that they want to do in pursuit of those goals, and if we do not, then we are somehow disassociating ourselves from the views that we have expressed.

I would suggest that that is a little arrogant, that there are many different ways of approaching these issues and that they are all done in good faith, and that in fact in the approaches that we have offered on our side, including support of the Zschau amendment, we are doing precisely what that letter said we would do. That letter said that we were for cur-

tailing new investment in South Africa. The Zschau amendment precisely moves in that direction. It says that you will have conditional investment. That is, in fact, curtailing new investment. I would say to those of you who argue on your side that your bill is not disinvestment, it is precisely that, that the Heritage Foundation has taken a look at that kind of an approach and said that despite the fact that it does not use that language, it is precisely that language, that you will end up with a disinvestment policy by virtue of implementing that policy.

Now, I think that we better start looking, then, at what you really mean to say. I think it is also important that if we are going to argue the percentage of the work force now applied under the Sullivan principles that we ought to look at the percentage of total investment in the country that would be affected by taking the approach offered in the bill before us, because it is a 3-percent solution. If a 1-percent solution was not very good, then I would suggest that a 3-percent solution is not much better, that in fact what you are talking about if you go the route of the Dellums approach, even the tough approach, as defined by one of my colleagues a moment ago, that that only gets you a 3-percent solution and that that is not going to bring the South African Government to its knees and is not going to end apartheid in South Africa.

Now, the question is, then, what do you do in a positive kind of way that might have a chance? Again, a lot of us have had an opportunity to talk to people who are standing against apartheid in South Africa, whites as well as blacks, people who are actually putting their lives on the line in South Africa, not going through a public relations gesture of getting arrested in front of an embassy in Washington, DC, where you are literally protected by the police, but doing something real, standing up against apartheid in South Africa. And those people have time and time again told us that disinvestment would be a great harm to their country, that disinvestment is not what they need, disinvestment would in fact be a tragedy to their country. And when asked specifically whether or not a mandatory application of Sullivan might in fact be a positive kind of goal to achieve, they have said yes, that that is in fact the kind of direction that they think would be useful.

Mr. GINGRICH. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Georgia.

Mr. GINGRICH. I want to respond, if I may, to the gentleman from Massachusetts, if I may have his attention. You talked earlier about people who take hard steps, and about people who do this, and people who do that. Let me say to you that, having watched the successful efforts of the American

left to improve Iran by replacing the Shah, who was a bad person, and we have the improved Iran today, having watched the promises in 1979 of a democratic Nicaragua, which we do not have today, having watched many members of the left explain to us that El Salvador could not become democratic, it could not be cleaned up, it was not possible, I am willing to go a little bit slow, I am willing to advocate what the gentleman from Pennsylvania earlier described as the American way in terms of the kinds of things that Ed ZSCHAU's amendment would provide for. I think that the short-term goal on our part should be to increase the involvement of integrated efforts by Americans, and the long-term effort should be to prepare the base for multilateral efforts to break the back of the South African Government if necessary.

But I think that a short-term effort to destabilize without any kind of approach to educating South African whites is doomed to produce the same kind of devastating results in South Africa that destabilization produced in Iran, and I do not see how anyone who has watched the last 6 years would favor that kind of destructive policy.

Mr. SILJANDER. Mr. Chairman, will the gentleman yield?

Mr. WALKER. I yield to the gentleman from Michigan.

Mr. SILJANDER. As one of the co-signers of that letter to the Ambassador, I attempted to draft a substitute that would parallel precisely what the intention of the letter outlined. If in fact, after a reasonable timeframe of 3 years, after a commission reporting each and every 6 months of those 3 years, determined that the major core elements of apartheid have not been dismantled, then in fact we would be willing—

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

(On request of Mr. SILJANDER and by unanimous consent, Mr. WALKER was allowed to proceed for 2 additional minutes.)

Mr. WALKER. I continue to yield to the gentleman.

Mr. SILJANDER. If in fact after that 3-year period those essential elements that make up apartheid have not been dismantled, then in the Siljander substitute it does say that we can in fact opt for sanctions. It is perfectly consistent and we ought to do all we can do from a positive standpoint with the Sullivan principles as incorporated in the Zschau amendment before we engage, while at the crossroads of change in that country, in a more radical approach. Let us do all we can do for peace and freedom and avoid violence by supporting the Zschau amendment.

I thank the gentleman for yielding.

Mr. DELLUMS. Mr. Chairman, I move to strike the requisite number of words.

I would like the attention of my distinguished colleague from Pennsylvania, if I might get it. And I might just say to my colleagues who are asking for a vote, this is perhaps one of the most significant issues that we would debate in the 2 years of this Congress, and I find it flagrantly disrespectful to assume that we can make a circus out of a critical set of issues that have impact upon millions of human beings.

Now, having said that, I will say to my colleague, the gentleman was duly elected to this body and the gentleman can express any political point of view that he chooses to express. The only concerns that I have is why, in attempting to express that political point of view, the gentleman sees fit to denigrate the effect on the part of the hundreds of human beings who were prepared to go to jail in this country at the South African Embassy, or anywhere else in this country, to try to bring America to the realization that we are killing human beings in South Africa. Whatever the gentleman's political position, it is not necessary to place his political position in juxtaposition to the legitimate motives of other people, and I yield to my colleague for a response.

I yield to the gentleman from Pennsylvania.

Mr. WALKER. I thank the gentleman for yielding.

I would say to the gentleman that if that is his interpretation of my remarks, I would certainly apologize to him if that was the kind of context in which they were put. I have stated on many occasions publicly that I thought that those demonstrations were useful. What I was trying to contrast was people in South Africa who are taking stands against apartheid whom I have talked to who are literally risking their lives, who take a question of life and death when they speak out against apartheid, when they take actions against apartheid, and contrasting that to what is happening in this country where in fact you can go and get arrested for the cause but you are not really putting your life on the line. And I was simply contrasting that to say that some of those people, when they come and talk to me, say that disinvestment is not the right concept for their country. That is the only point I was making, and I certainly do not want to in any way derogate the efforts of the people who are taking those kinds of stands at the Embassy.

Mr. DELLUMS. I appreciate the gentleman's comments.

Mr. SILJANDER. Mr. Chairman, will the gentleman yield?

Mr. DELLUMS. I yield to the gentleman from Michigan.

Mr. SILJANDER. I think it is important, talking about the question of motivations and attitude toward each other, to say that I was one of the signers of that letter, and when one of the gentlemen rose today on your side of the aisle—

Mr. DELLUMS. Mr. Chairman, I cannot hear the gentleman.

I yield to the gentleman.

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Mr. SILJANDER. I will begin my comments once again. I am also concerned with what you find important. I am concerned that the gentleman on your side of the aisle rose to question, in my interpretation, some of the motivations of those who signed that letter. I, as a signatory of the letter, feel I have worked very hard to come up with an alternative to the Gray approach, as you have, that is consistent with my signature on that letter, which is consistent with my philosophy. I have traveled to South Africa; worked many hours putting a legitimate bill together from my point of view. We may not agree on my point of view.

Mr. DELLUMS. I may not agree on your point of view or Mr. GRAY's point of view or Mr. ZSCHAU's point of view, but you are right: I indeed agree with your point. I would hope that some Members on that side of the aisle would not stand up and question motives of all the signers of that letter who signed that letter in deep sincerity and deep concern of the vicious apartheid and system of racial discrimination that is practiced in that country.

We have different approaches; I believe mine is the best as you believe yours is the best. So let us leave it in that type of tenure from now on. Is that fair enough?

Mr. DELLUMS. I thank the gentleman and let me reclaim my time.

I would simply say to my colleague: I came here to debate ideas; I did not come here to challenge peoples' personalities; I did not come here to challenge peoples' motives. I came here to challenge the intellectual integrity or the political integrity of their ideas. I find it a very shabby kind of response when we start to challenge each other at the level of motive and at the level of personalities. We ought to lift this debate to a very high order of magnitude, and it would seem to me discussing the issue of apartheid in South Africa and America's acquiescence in that has a significant and an imperative that requires that we debate this issue at a much higher level than it is beginning to deteriorate at this particular point.

I thank my colleague and I yield to the gentleman from Michigan [Mr. CONYERS].

Mr. CONYERS. I thank my colleague for making the point.

May I ask my colleague and friend from Michigan while he is on his feet, since he thinks not too highly of the halfway step of the Wolpe-Gray measure, does he in fact feel more inclined to support the Dellums amendment which calls for total disinvestment?

I thought that I heard implicit in his remarks earlier in the debate that



probably he would prefer that solution to what he considered a halfway solution.

The CHAIRMAN. The time of the gentleman from California [Mr. DELLUMS] has expired.

(By unanimous consent, Mr. DELLUMS was allowed to proceed for 2 additional minutes.)

Mr. DELLUMS. I yield to the gentleman from Michigan [Mr. SILJANDER].

Mr. SILJANDER. Obviously the gentleman from Michigan is again hearing incorrectly. If I were supporting the Dellums approach, I respect his approach but do not philosophically or emotionally support it, why would I have worked on my own approach?

Mr. CONYERS. No, I meant relatively—

Mr. SILJANDER. You are full of questions tonight.

Mr. CONYERS. No, my friend, I meant in terms of a relative choice. I understand—

Mr. SILJANDER. It would be easier to listen more clearly; you would have less and fewer questions.

Mr. CONYERS. If the gentleman would listen to me for a second, I am saying relatively between the two other measures; not his own.

Mr. DELLUMS. I yield to the gentleman for a response.

Mr. SILJANDER. Well, which would the gentleman support between the Dellums and the Siljander? Or between the Gray and the Siljander?

Mr. CONYERS. Well, I am asking you.

Mr. SILJANDER. Well, I am asking you. You have been full of questions; let me ask you questions for the rest of the evening.

Mr. DELLUMS. If I may reclaim my time.

Mr. Chairman, I realize that only a few seconds remain. I will simply try to bring us back to the central focus to this debate, and it has nothing to do with our individual personalities; it has nothing to do with our individual motives. None of us here have the capacity to play God and to challenge each other's motives. Let us get our political ideas on the table, and let us debate those issues.

I would like to hope in that atmosphere of integrity that our particular approach at the appropriate time will prevail in this body.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. ZSCHAU].

The question was taken, and the Chairman announced that the noes appeared to have it.

## RECORDED VOTE

Mr. ZSCHAU. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 148, noes 256, not voting 30, as follows:

## [Roll No. 121]

## AYES—148

Archer	Grotberg	Parris
Armey	Gunderson	Pashayan
Badham	Hammerschmidt	Petri
Bartlett	Hansen	Porter
Barton	Hartnett	Quillen
Bateman	Hendon	Regula
Bereuter	Henry	Ridge
Bilirakis	Hiler	Roberts
Boulter	Hillis	Rogers
Broomfield	Holt	Roth
Brown (CO)	Hunter	Roukema
Broyhill	Hutto	Rowland (CT)
Burton (IN)	Hyde	Saxton
Byron	Ireland	Schaefer
Callahan	Johnson	Schuetz
Campbell	Kasich	Sensenbrenner
Chandler	Kemp	Shaw
Chappie	Kindness	Shumway
Cheney	Kolbe	Shuster
Clinger	Kramer	Siljander
Coats	Lagomarsino	Skeen
Cobey	Latta	Slaughter
Coble	Lent	Smith (NE)
Coleman (MO)	Lewis (FL)	Smith (NH)
Combest	Lightfoot	Smith, Denny
Craig	Livingston	Smith, Robert
Crane	Loeffler	Snyder
Dannemeyer	Lott	Solomon
Daub	Lujan	Spence
Davis	Lungren	Stangeland
DeLay	Madigan	Strang
DeWine	Marlenee	Stump
Dickinson	Martin (NY)	Sundquist
Dornan (CA)	McCain	Sweeney
Dreier	McCandless	Swindall
Duncan	McCollum	Tauke
Eckert (NY)	McEwen	Taylor
Emerson	McKernan	Thomas (CA)
Evans (IA)	McMillan	Vander Jagt
Fawell	Meyers	Vucanovich
Fiedler	Miller (OH)	Walker
Fields	Monson	Whitehurst
Franklin	Montgomery	Whittaker
Frenzel	Moore	Wolf
Gallo	Moorhead	Wortley
Gekas	Morrison (WA)	Young (AK)
Gingrich	Nielson	Young (FL)
Goodling	O'Brien	Zschau
Gradison	Oxley	
Green	Packard	

## NOES—256

Ackerman	Conte	Gaydos
Addabbo	Conyers	Gedjondson
Akaka	Cooper	Gephardt
Anderson	Coughlin	Gibbons
Andrews	Courter	Gilman
Annunzio	Coyne	Glickman
Anthony	Crockett	Gonzalez
Applegate	Daniel	Gordon
Aspin	Darden	Gray (IL)
Atkins	Daschle	Gray (PA)
AuCoin	de la Garza	Gregg
Barnard	Dellums	Guarini
Barnes	Dicks	Hall, Ralph
Bates	DioGuardi	Hamilton
Bedell	Dixon	Hatcher
Bellenson	Donnelly	Hawkins
Bennett	Dorgan (ND)	Hayes
Bentley	Dowdy	Hefner
Berman	Downey	Hefter
Bevill	Durbin	Hertel
Biaggi	Dwyer	Hopkins
Billey	Dymally	Horton
Boehlert	Early	Howard
Boggs	Eckart (OH)	Hoyer
Boland	Edgar	Hubbard
Boner (TN)	Edwards (CA)	Huckaby
Bonior (MI)	Edwards (OK)	Hughes
Bonker	English	Jacobs
Borski	Erdreich	Jeffords
Bosco	Evans (IL)	Jones (OK)
Boxer	Fascell	Jones (TN)
Brooks	Fazio	Kanjorski
Brown (CA)	Feighan	Kaptur
Bruce	Fish	Kastenmeier
Bryant	Flippo	Kennelly
Burton (CA)	Florio	Kildee
Bustamante	Foglietta	Kleczka
Carney	Ford (MI)	Kolter
Carper	Ford (TN)	Kostmayer
Chappell	Fowler	LaFalce
Clay	Frank	Lantos
Coelho	Frost	Leach (IA)
Coleman (TX)	Fuqua	Leath (TX)
Collins	Garcia	Lehman (CA)

Lehman (FL)	Ortiz	Snowe
Leland	Owens	Solarz
Levin (MI)	Panetta	Spratt
Levine (CA)	Pease	St Germain
Lipinski	Penny	Staggers
Lloyd	Pepper	Stallings
Long	Perkins	Stark
Lowry (WA)	Pickle	Stenholm
Luken	Price	Stokes
MacKay	Pursell	Stratton
Manton	Rahall	Studds
Markey	Rangel	Swift
Martin (IL)	Ray	Synar
Martinez	Reid	Tallon
Matsui	Richardson	Tauzin
Mavroules	Rinaldo	Thomas (GA)
Mazzoli	Robinson	Torres
McCloskey	Rodino	Torricelli
McCurdy	Roe	Towns
McDade	Roemer	Traficant
McHugh	Rose	Traxler
McKinney	Rostenkowski	Valentine
Mica	Rowland (GA)	Vento
Mikulski	Roybal	Visclosky
Miller (CA)	Russo	Volkmer
Miller (WA)	Sabo	Watkins
Mineta	Savage	Waxman
Mitchell	Scheuer	Weaver
Moakley	Schneider	Weber
Molinar	Schroeder	Weiss
Mollohan	Schulze	Wheat
Mrazek	Schumer	Whitley
Murphy	Seiberling	Wilson
Natcher	Sharp	Wirth
Neal	Shelby	Wise
Nelson	Sikorski	Wolpe
Nichols	Siskys	Wyden
Nowak	Skelton	Wylie
Oaker	Slattery	Yates
Oberstar	Smith (FL)	Young (MO)
Obey	Smith (IA)	
Olin	Smith (NJ)	

## NOT VOTING—30

Alexander	Jenkins	Murtha
Boucher	Jones (NC)	Myers
Breaux	Lewis (CA)	Ritter
Carr	Lowery (CA)	Rudd
Derrick	Lundine	Udall
Dingell	Mack	Walgren
Dyson	McGrath	Whitten
Foley	Michel	Williams
Hall (OH)	Moody	Wright
Hall, Sam	Morrison (CT)	Yatron

## □ 2010

The Clerk announced the following pairs:

On this vote:

Mr. Myers of Indiana for, with Mr. Breaux against.

Mr. Rudd for, with Mr. Alexander against.

Mr. Mack for, with Mr. Morrison of Connecticut against.

Mr. Lewis of California for, with Mr. Jones of North Carolina against.

Mr. Lowery of California for, with Mr. Lundine against.

Mr. MURPHY changed his vote from "aye" to "no."

Mr. FIELDS changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. WOLPE. Mr. Chairman, I move that the Committee do now rise.

Accordingly the Committee rose; and the Speaker pro tempore [Mr. MOAKLEY] having assumed the chair, Mr. DE LA GARZA, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1460) to express the opposition of the United States to the system of apartheid in South Africa, and for other purposes, had come to no resolution thereon.

## GENERAL LEAVE

Mr. WOLPE. Mr. Chairman, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

# REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 152, FIRST CONGRESSIONAL BUDGET FOR THE U.S. GOVERNMENT FOR FISCAL YEARS 1986, 1987, AND 1988

Mr. PEPPER, from the Committee on Rules, submitted a privileged report (Rept. No. 99-141) on the resolution (H. Res. 177) providing for the consideration of the concurrent resolution (H. Con. Res. 152) revising the congressional budget for the U.S. Government for the fiscal year 1986 and setting forth the congressional budget for the U.S. Government for the fiscal years 1986, 1987, and 1988, which was referred to the House Calendar and ordered to be printed.

## REAGAN ADMINISTRATION ETHICS DISHONOR ROLL ADDENDUM

(Mrs. SCHROEDER asked and was given permission to address the House for 1 minute and to revise and extend her remarks and include extraneous matter.)

Mrs. SCHROEDER. Mr. Speaker, today, I am placing in the record an addendum of 22 names to the Reagan Administration Ethics Dishonor Roll. This brings the total number of individuals cited on this list to a distressing 134.

The charges which earn an individual a position on this very undistinguished list include criminal wrongdoing, abuse of power and privilege, and improper behavior for a Government official. This roll is merely a compendium of newspaper accounts. Some of the individuals have been cleared by investigations. Others have resigned, maintaining their innocence, but aborting any further investigation.

I first started compiling this list 2 years ago when the House Post Office and Civil Service Committee was struggling to strengthen the Ethics in Government Act. The American public had been besieged with repeated newspaper accounts of top administration officials running afoul of ethical restrictions. Sad to say, the onslaught of ethical violations has continued unabated.

We must further strengthen our laws to help preclude such activity, but we must also hold accountable a President who appoints, supports, and defends individuals of such curious and questionable character.

## REAGAN ADMINISTRATION ETHICS DISHONOR ROLL, ADDENDUM

(Compiled by the House Subcommittee on Civil Service, Representative Patricia Schroeder, Chairwoman, May 20, 1985)

112. Patrick C. Allison, Regional Director, Department of Health and Human Services, lobbied against the "Compassionate Pain Relief Bill" in apparent violation of prohibitions on use of Federal funds to lobby Congress.

113. Twenty-one non-career Ambassadors endorsed Senator Jesse Helms for re-election in apparent violation of established tradition followed by administrations of both parties which barred Ambassadors from participating in partisan politics while on active duty as official representatives of their country. Senator Helms is a member of the Foreign Relations Committee that confirms ambassadors.

114. Dixon Arnett, Deputy Undersecretary for intergovernmental Affairs, Department of Health and Human Services, told regional directors to contact state narcotics officials, governors, and mayors in their states "and ask them to contact their congressional delegation to ask for a 'no' vote" on the "Compassionate Pain Relief Bill" in apparent violation of prohibitions on use of Federal funds to lobby Congress.

115. Mark Evans Austad, Ambassador to Norway, allegedly tried to force his way into a Norwegian woman's home in the middle of the night. Mr. Austad "was apparently under the influence of alcohol" when he spent "half an hour knocking and kicking at her front door Wednesday in an attempt to get in."

116. Daniel K. Benjamin, Chief of Staff, Department of Labor, was accused of a conflict of interest allegedly involving the use of a lobbyist's boat. He also was allegedly involved in the award of a non-competitive contract to one of his former research assistants. Mr. Benjamin resigned.

117. Bruce Chapman, Deputy Assistant to the President in charge of the Office of Policy and Evaluation, White House, and former Director, Census Bureau, allegedly spent more than \$10,000 on travel during a one year period including trips to his hometown, Seattle.

118. John Fedders, Director of the Division of Enforcement, Securities and Exchange Commission, reportedly beat his wife during their 18-year marriage. He was also reportedly involved in the alleged cover-up of a corporate bribe scheme by a former law client, the Southland Corporation. Mr. Fedders resigned.

119. Eileen Marie Gardner, head of the Office of Education, Philosophy and Practice, Department of Education, had criticized "misguided" efforts to help disabled people who had "selfishly drained resources from the normal school population." In addition, she indicated that the handicapped were responsible for their life situation. Ms. Gardner was told to resign.

120. Marianne Mele Hall, Chairwoman of the Copyright Royalty Tribunal, co-authored *Foundations in Sand: A Hard Look at the Soft Sciences*. This book contains such statements as American blacks "insist on preserving their jungle freedoms, their women, their avoidance of personal responsibility and their abhorrence of the work ethic." She also had no experience in copyright litigation and her experience as a teacher of law was allegedly gained at an unaccredited school that operated only on weekends. Ms. Hall resigned.

121. Donald T. Hallett, State Director of the Farmers Home Administration in California, Department of Agriculture, was found guilty of racial discrimination in his

practices. Mr. Hallett received an official written reprimand.

122. Roger W. Jepsen, chosen by President Reagan to head the Commission to honor the Bicentennial of the U.S. Constitution, had once invoked the Constitution as a justification for driving his single-occupant vehicle down the car pool lane of a Virginia highway. During his campaign for re-election to the Senate, Mr. Jepsen said he had visited a Des Moines health club that had "nude encounters." Mr. Jepsen's name was withdrawn.

123. Patrick Korten, executive assistant director, Office of Personnel Management, allegedly participated in an illegal personnel transfer to benefit a former OPM political appointee and his wife. He authorized the Intergovernmental Personnel Act transfer for Carolyn Jeffress without expecting her to return to the federal government, as required by law.

124. James Meadows, Deputy Director of the Occupational Safety and Health Administration, Department of Labor, allegedly told high-ranking agency officials to "kick asses and take names" of employees who criticize agency policies.

125. Marjory E. Mecklenburg, Deputy Assistant Secretary, Department of Health and Human Services, was investigated by the Department Inspector General for possibly scheduling an HHS workshop in Denver so she could watch her son play in the Broncos-Vikings football game. HHS also looked into additional trips she took over a two-year period at a cost to the government of \$12,938.67. Ms. Mecklenburg resigned.

126. Georgia Paras, Legal Services Corporation nominee, had allegedly attacked an Hispanic judge as "a professional Mexican," saying that there also were "professional blacks, professional Greeks, professional Dagos and professional Jews" who "put their ethnic origin ahead of everything else." His appointment was withdrawn.

127. Russell A. Rourke, Assistant Secretary of Defense for Legislative Affairs, Department of Defense, wrote a memo which allegedly shows that he and other Pentagon officials are acting in a partisan political manner to deflect criticism of the DOD's spare parts program.

128. Robert A. Rowland, head of the Occupational Safety and Health Administration, Department of Labor, allegedly owns up to \$50,000 in stock in Tenneco, Inc., a conglomerate that could be affected directly by his decision not to adopt a federal standard requiring clean drinking water and toilet facilities for farm workers. The Office of Government Ethics is reviewing the case.

129. Thomas Tancred, Secretary's Regional Representative, Department of Education, mailed out copies of a 12 page "statement," accompanied by his signed cover letter, lamenting the fact that we don't have an official state religion in this country.

130. Kathleen Troia, Principal Deputy Assistant Secretary for Public Affairs, Department of Defense, wrote a memo which allegedly developed a plan for possibly improper political involvement by DOD officials during the 1984 national election campaign.

131. Lawrence A. Uzzell, Special Assistant to the Undersecretary, Department of Education, advocated that every federal program for elementary and secondary education—including aid to the handicapped—should be abolished. Mr. Uzzell resigned.

132. R. Leonard Vance, Director of Health Standards, Occupational Health and Safety Administration, Department of Labor, accused his staff of using "communist" language and having been "trained in Moscow."